



DATA PROTECTION

October 2006

INTRODUCTION

1. This is a statement of the Data protection Policy adopted by SEStran, the Regional Transport Partnership (RTP) for the South East of Scotland. This policy is applicable to all personal data held by the RTP. It applies to all employees and elected members of the RTP and to any contractors or agents performing work for or on behalf of the RTP.
2. SEStran is a partnership of 8 councils; Edinburgh, Fife, Clackmannanshire, Scottish Borders, Falkirk, West Lothian, East Lothian, and Mid Lothian and provides a wide range of services not only within these boundaries but as part of a group of RTPs across Scotland.
3. SEStran needs to process certain types of data about people with whom it deals in order to operate. This includes current, past and prospective employees, suppliers, clients and customers, and others with whom it communicates.
4. In order to comply with the Data Protection Act 1998, all personal data is dealt with properly however it is collected, recorded and used. Safeguards are in place to observe the legislation of the Act, these are detailed below.
5. SEStran regards the safekeeping of all personal data as paramount to maintaining confidence between it and those with whom it deals. SEStran endeavours to fulfil all the requirements of the Act while remaining open and accessible by the public.

THE DATA PROTECTION PRINCIPLES

6. To that end, SEStran fully endorses and adheres to the eight Data Protection Principles set out in the Data Protection Act 1998.
7. These Principles can be summarised as follows:
 - Data must be fairly and lawfully processed
 - Data must be processed for limited purposes
 - Data must be adequate, relevant and not excessive
 - Data must be accurate and up to date
 - Data must be not kept longer than necessary
 - Data must be processed in accordance with the individual's rights
 - Data must be secure
 - Data must not be transferred to countries outside the European Economic area unless that country has adequate protection for the individual

WHAT SESTRAN WILL DO

8. SEStran shall, through appropriate management and strict application of criteria and controls;

- observe, fully, conditions regarding the fair collection and use of data;
- meet its legal obligations to specify the purposes for which data is used;
- collect and process appropriate data, and only to the extent that it is required to fulfill operational needs or to comply with any legal requirements;
- ensure the quality of the data used;
- apply strict checks to determine the length of time the data is held;
- ensure that rights of people about whom data is held can be fully exercised under the Act. These include:
 - the right to be informed that processing is being undertaken;
 - the right of access to one's personal data;
 - the right to prevent processing in certain circumstances; and
 - the right to correct, rectify, block or erase data which is regarded as wrong data;
- take appropriate technical and organisation security measures to safeguard personal data;
- ensure that personal data is not transferred outside the European Economic area without suitable safeguards.

9. In addition SEStran will ensure that:

- there is someone with specific responsibility for data protection in the organisation;
- everyone managing and handling personal data understands that they are contractually responsible for following good data protection practice;
- everyone managing and handling personal data is appropriately trained to do so;
- everyone managing and handling personal data is appropriately supervised;
- anyone wishing to make enquiries about handling personal data knows what to do;
- queries about handling personal data are competently and courteously dealt with;
- methods of handling personal data are clearly described;
- a regular review and audit is made of the way personal data is managed;
- methods of handling personal data are regularly accessed and evaluated; and
- performance with handling personal data is regularly accessed and evaluated.

GENERAL

10. This document states SEStran's primary, general policy with regard to Data Protection. SEStran also has policies, codes of practice, protocols and guidance, as appropriate, for specific types of data maintenance and data type. Additional data specific policies, codes, protocols and guidance will be adopted as and when necessary.