

SFJ ZA12

Administer compliance with Data Protection legislation



Overview

This unit is about handling requests for information in compliance with Data Protection (DP) legislation. This covers all requests including those made under specific provisions of current legislation and internal requests for guidance on application of the legislation.

SFJ ZA12

Administer compliance with Data Protection legislation

Performance criteria

Process requests for information in accordance with Data Protection legislation

You must be able to:

- P1 Confirm **requirements of information request**
- P2 Identify, secure provision of and collate information relevant to the request
- P3 Liaise with relevant personnel on the terms of the disclosure decision
- P4 Identify and apply exemptions which relate to the information requested
- P5 Make a decision on:
 - P5.1 disclosure
 - P5.2 non-disclosure
 - P5.3 partial disclosure
- P6 Deal with the DP request within statutory timeframes
- P7 Maintain an accurate record of the life cycle of the request
- P8 Prepare disclosure and produce written response to the **applicant** which complies with the legislative requirements

You must be able to:

Maintain compliance with Data Protection legislation

- P9 Maintain compliance with DP guidance, policies and procedures
- P10 Keep up to date with legislation and **changes** affecting requests for information
- P11 Deal with complaints relating to DP within own level of responsibility
- P12 Consult with all relevant stakeholders to ensure compliance with DP legislation
- P13 Provide advice to others on application of DP legislation

SFJ ZA12

Administer compliance with Data Protection legislation

Knowledge and understanding

You need to know and understand:

- K1 The scope and application of legislation and case law in relation to Data Protection and the mechanisms for its updating and amendment
- K2 How to analyse communications
- K3 The procedures for dealing with DP requests
- K4 How to engage with the applicant and cater for their requirements
- K5 How to negotiate internal/external outcomes
- K6 The procedures for management, recording and sharing of information
- K7 The organisational structure in relation to departmental interfaces and authorities to exchange information
- K8 Appropriate methods of consulting with stakeholders
- K9 How to build and manage relationships
- K10 How to present information to different stakeholders
- K11 The process for investigation and resolution of claims related to non-compliance
- K12 Data handling requirements and Records Management procedures within the organisation
- K13 The existence of current data sharing provisions/requirements in other legislation and how these impact on DP

Scope/range related to performance criteria

Requirements of information request

- 1 Legal basis for decision
- 2 Agreement in place
- 3 Guidance of relevant authorities
- 4 Disclosure of personal information

Applicants

- 5 Courts
- 6 Solicitors
- 7 Members of the public / staff or their representatives
- 8 Insurance companies
- 9 Colleagues
- 10 Partner organisations under data sharing or Data Processing agreements/arrangements
- 11 Businesses
- 12 Regulatory bodies

Changes

- 13 Home Office circulars
- 14 Tribunal rulings
- 15 ACPO guidance
- 16 Case law
- 17 Judicial reviews

SFJ ZA12

Administer compliance with Data Protection legislation

| | |
|---------------------------------|---------------------------------|
| Developed by | Skills for Justice |
| Version number | 1 |
| Date approved | May 2011 |
| Indicative review date | April 2016 |
| Validity | Current |
| Status | Original |
| Originating organisation | Skills for Justice |
| Original URN | SFJ ZA12 |
| Relevant occupations | Police data Protection officers |
| Suite | Policing and Law Enforcement |
| Key words | Data protection |