



# UK DATA PROTECTION LAW - AN INTRODUCTION

## Important legislation:

- [Data Protection Act 2018](#)
- [United Kingdom General Data Protection Regulation](#)
- [Privacy and Electronic Communications \(EC Directive\) Regulations 2003](#)

## Key terms:

- **Personal Data:**
  - Information;
  - Relating to identified or identifiable natural persons;
  - that can be identified directly or indirectly (i.e. name, ID number)
- **Data Processing:**
  - Operation performed on personal data (whether or not by automated means). This includes collection, recording, sharing and adaption.
- **Data Subject:**
  - Someone who can be identified from personal data. Provided that they personal data is about them (as above) then that person is a data subject.
- **Data Controller:**
  - The body that determines the purposes and means of processing personal data. A data controller has the responsibility of deciding how personal data is processed and protecting it from harm.
- **Data Processor:**
  - Someone that processes personal data under the instructions of, and on behalf of, a data controller.

For more information, see the [Information Commissioners Office \(ICO\) guidance](#)

## Key obligations:

- Principles (Article 5)
- Legal Basis for Processing (Article 6)
- Special Category Personal Data – Legal Basis for Processing (Article 9)
- Privacy Notice Information (Article 13 and 14)
- Data Subject Rights (Articles 15 to 21)
- Data Protection by Design and Default (Article 25)
- Contracts with Processors (Article 28)
- Records of Processing Activities (Article 30)
- Security of Processing (Article 32)
- Personal Data Breach Notification – to the ICO (Article 33)
- Personal Data Breach Notification – to data subjects (Article 34)
- Data Protection Impact Assessments (Article 35)
- Data Protection Officers (Article 37 to 39)
- Transfers of Personal Data outside of the UK (Articles 44 to 50)

## Data subject rights:

- **Right to be informed:** means you have to tell people that you have their data and what you are doing with that data;
- **Right of access:** means people can ask you for a copy of the data you have about them;
- **Right to rectification:** means people can ask you to correct their data where it is not accurate;
- **Right to restriction:** applies in limited circumstances but means you can only store the data and not use it for further purposes.
- **Right to erasure:** people can, in specific situations, request that you delete the data you have about them.
- **Right to portability:** means people can ask for their personal data in certain circumstances in a machine readable format.
- **Right to object:** means people can object to specific processing of personal data.
- **Automated decision making:** certain rights where there is solely automated processing of personal data that has a legal effect or similarly significantly affects the data subject.

The information in this guide is for information purposes only and should not be relied on as a statement of law or substitute for appropriate advice.

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