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Briefing Note

Are you registered as a Data Controller?

Under Data Protection legislation most employment businesses are required to register with the Information Commissioner's Office as a data controller at a nominal cost of £35 per year.

A Data Controller is an organisation that processes individuals' personal information may have to notify the Information Commissioner's Office

Metro3 Staffing Ltd was recently fined £250 and ordered to pay costs of £448 for failing for failing to notify as a data controller despite alerts from the ICO.

A 21-page technical guidance note, 'Determining what is personal data' http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/personal_data_flowchart_v1_with_preface001.pdf explains and illustrates the Information Commissioner's view of what is 'personal data' for the purposes of the Data Protection Act.

To check whether you need to register use the online self assessment tool at <http://forms.informationcommissioner.gov.uk/notify/self/question1.html>