

## **SEEDA's Information Charter**

### **Background**

The South East England Regional Development Agency (SEEDA) holds both personal and non-personal information in a variety of databases and information stores which are critical to its business activities, together with systems relating to SEEDA's support functions such as human resources, facilities and finance.

Information is a key corporate asset, and its proper use is fundamental to the delivery of public services. All information processed must be managed effectively and in accordance with legal requirements, authoritative guidance and best practice standards, in order to provide efficient customer services.

### **Purpose**

The purpose of this Charter is to set out the broad aspects of how SEEDA manages information, setting out the responsibilities of staff, partners and other stakeholders, including third parties managing information on behalf of SEEDA.

The Charter covers both Personal Data and other information that SEEDA holds in connection with its duties under the Data Protection Act 1998, Freedom of Information Act 2000, Environmental Information Regulations 2004 and Privacy and Electronic Communications Regulations 2003.

It tells you how you can get access to information, including your Personal Data, and how you can complain if you think standards are not being met.

### **How our Information is Managed**

At SEEDA we manage, maintain and protect all information according to legislation, SEEDA policies and Information Commissioners' Office (ICO) best practices. We have security measures in place to maintain and safeguard the confidentiality, integrity and availability of our systems and data. All information is stored, processed and communicated in a secure manner making it readily available to authorised users.

SEEDA is also committed to the proactive dissemination of information, to be open and transparent and will routinely publish information unless restricted by legislation or public policy considerations.

## **SEEDA Information Team**

SEEDA has centralised responsibility for the administration of information requests for Personal Data, other information and related complaints within a dedicated Information Team, contact details of which are given at the end of this Charter.

The Information Team is also responsible for the Information Charter which is reviewed annually and updated to take into account of any changes in legislation or our policies.

## **Personal Data**

We know how important it is to protect customers' privacy and to comply with the Data Protection Act. We will safeguard your information and in most circumstances will not disclose Personal Data without consent unless required to do so by law. If we ask customers for Personal Data we will:

- Let them know why we need it, where it is not obvious.
- Only ask for what we need, and not collect excessive or irrelevant information.
- Make sure nobody has access to it who should not.
- Let customers know if we share it with other organisations.
- Only keep it for as long as we need to in accordance with our retention guidelines.

In return, to keep information reliable and up to date, we ask customers to:

- Give us accurate information.
- Tell us as soon as possible of any changes, such as a change of address.

## **Access to Personal Data**

You can find out if we hold any Personal Data about you by making a "Subject Access Request" under the Data Protection Act. If we do hold information about you we will:

- Give you a description of it.
- Tell you why we are holding it.
- Tell you who it could be disclosed to.
- Let you have a copy of the information in an intelligible form.

We handle all information in a manner that respects the rights of individuals and which complies with the requirements of the Data Protection Act. To make a request to the SEEDA for any Personal Data it may hold you need to put the request in writing, either by letter or email, to our Information Team using the contact details below. Before providing any information SEEDA will require confirmation of your identity and may charge a search fee of £10.

If we do hold information about you, which you feel is incorrect, you can ask us to correct it, using the same contact details.

### **Access to Information**

SEEDA is committed to the proactive dissemination of information, to be open and transparent and will publish information unless restricted by legislation. Like all other public sector organisations SEEDA is required to make the information it holds available unless subject to an exemption.

SEEDA has a Publication Scheme; <http://www.seeda.co.uk/about-us/freedom-of-information/publication-scheme>, which provides an overview of the information that is routinely published.

A request for information, as well as any queries about making a request, can be sent to the Information Team using the contact details below.

### **Legislation – Disclosure of Information**

The Freedom of Information Act and the Data Protection Act have a number of exemptions which must be considered before publication or disclosure. However, we will not withhold information simply because it falls into a relevant exemption. We will assess the impact of disclosure in relation to the requested information and make a decision on a case-by-case basis (except where we have decided that information of that type should be published proactively).

Section 59 of the Data Protection Act also makes it an offence for SEEDA staff to knowingly or recklessly disclose information that has been obtained or provided for the purposes of the Act without lawful authority.

### **Assurance and Governance**

SEEDA has in place a framework for the leadership, organisational structure, business processes and Executive Board accountability which ensures the organisations achievement of its strategies and objectives. Information security, internal audit and risk management are integral to SEEDA's overall governance activities. Risks to the security and use of SEEDA information are identified and assessed through the Agency's risk management framework and then managed as part of the Agency's system of internal control. The Information Team provides the Chief Executive with an independent opinion on the adequacy and effectiveness of the agency's governance, risk framework and internal controls, including controls over data and information.

### **Responsibilities**

The Executive Director Business Development owns this Charter on behalf of the Executive Board and is responsible for its implementation.

The Head of Information will ensure that information security policies and procedures are reviewed and implemented across business functions ensuring ongoing continuous improvement. These policies aim to ensure that the requirements of confidentiality, integrity and availability are maintained at each stage in the information lifecycle. The Head of Information is also responsible for responding to formal requests for personal and non-personal information and for administering the complaints process.

Information Asset Owners actively manage and monitor the whole of the information lifecycle from the creation of documents through to deletion. Directors and Heads of Departments are responsible for ensuring that their staff are compliant with all policies and procedures

All staff and contractors are trained in and are aware of their responsibilities as set out in these policies.

### **Reporting Responsibilities**

As Accounting Officer for SEEDA the Chief Executive is responsible for maintaining sound governance and control arrangements that support the achievement of SEEDA strategies and objectives. These arrangements are audited and reported annually in the Agency's Statement on Internal Control. The Agency also reports on the management of a range of information assets including:

- The Head of Information reports to the Chief Executive and ensures that SEEDA complies with central guidance on information security.
- The Chair of the Audit Committee provides written approval/confirmation (or otherwise) of the Information Team's assessment of the effectiveness of the overall risk policy and controls.
- The National Audit Office (NAO) independently reviews all of SEEDA's financial records and accounting processes.
- Data Protection and Freedom of Information issues are reported to the Information Commissioner's Office.
- Licensing and Crown Copyright issues are reported to the Office of Public Sector Information.

### **Intellectual Property Rights (IPR)**

Intellectual Property Rights (IPR) protect the rights of people who create information which is seen as having value either to the individual or in the commercial world. IPR are regulated by a number of pieces of legislation in the UK and most major countries in the world and includes copyright, patents, database rights, trademarks and designs (both registered and unregistered). In the case of SEEDA, IPR protection is most usually seen in Crown Copyright of the printed work, and in the trademark protection for the agency logo and its use.

All the information created and held by SEEDA falls under Crown Copyright. This is managed under delegated powers given by the OPSI and complies with the Copyright, Designs and Patents Act 1988.

Further information can be obtained from: <http://www.opsi.gov.uk/>.

### **When we Share Information**

We are committed to providing the best and most efficient service to our customers. We may share Personal Data within our organisation or with other bodies where it would not be inconsistent with the purposes for which we collected it, and/or where we are required or permitted to do so by law.

When Personal Data are shared between SEEDA and its partners the responsibilities are defined in the contracts between SEEDA and its partners based on the Eight Data Protection Principles defined in the Data Protection Act.

There are some cases where we can pass on your information without telling you, for example to prevent and detect crime or to produce anonymised statistics. In all cases - whether data is shared internally or externally – SEEDA will act in accordance with the Data Protection Act and other relevant legislation.

### **Complaints**

We are committed to providing all our customers with high quality efficient services. If you are unhappy with the way we have handled your Personal Data or information request and wish to make a complaint please contact us through the following address.

We will acknowledge your complaint within 5 working days and let you have a full response within 20 working days. If it is not possible to respond fully within this timescale, we will write and let you know why and say when you should receive a full response.

### **Contact Details**

Information Team  
Berkeley House  
London Square  
Cross Lanes  
Guildford Surrey  
GU1 1YA

You can send FOI requests directly to [FOI@SEEDA.co.uk](mailto:FOI@SEEDA.co.uk)  
and Subject Access Requests directly to [DataProtection@SEEDA.co.uk](mailto:DataProtection@SEEDA.co.uk).

You can also contact Daniel Lo Russo, Head of Information on (01483) 501 330.

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