

## Data Protection for Presenters

-

### Good Data protection is good journalism

- One of the fundamental tenets of journalism is the protection of your sources. At heart good data protection is also about this. It is not just “another bit of bureaucracy” it’s about trust.
- Journalism is exempted from many aspects of the Data Protection Act (DPA), but ONLY when it to comply with the Act is “incompatible” with journalism. e.g it would be incompatible with journalism to have to provide the subject of an investigative programme with a copy of the information we have gathered about them. The key issue, though, is that unless there is a good editorial reason for not complying with the Act we have to.
- We are NEVER exempt from the Act’s requirement to look after any personal data securely. So losing a contacts book, or sending unencrypted personal data to a private account or putting any personal data on an unencrypted home computer are all potential breaches of the Act.
- Many popular service providers are not up to the security standard required by the Act. Do not assume that any technology is automatically secure enough for personal data, certainly not any data gathered as a BBC employee. For example, don’t auto-forward you BBC email to an external provider on a continuing basis without exceptional circumstances. These are known to be hacked into on a regular basis. Is it worth the risk that your account could be next?
- Neither should you automatically assume that any BBC system is safe. Whilst a great deal of effort is put into BBC information security if any data is particularly sensitive, e.g children’s personal details or an anonymous source’s data, it should have additional security. If you’re not sure contact BBC Information Security or the Information Policy and Compliance Team (IPC)
- There is a particular issue with sending data outside of the EEA. Special contracts and obligations need to be put in place in order to comply with the Act. Many so called “cloud” providers cannot meet these requirements.
- Even when the contractual issues have been settled over the transfer of data outside the EEA, some countries have laws which make it difficult for the BBC to use service providers based in their territory. For example the US Patriot Act allows for a secret subpoena to be issued against any US company insisting that it hand over any data it holds. During the fallout from the Wikileaks release of diplomatic correspondence Twitter was ordered to hand over data relating to several account holders. They resisted the order and fought a legal battle in the US to at least reveal that the request had been made. It is suspected that some

- If in doubt about any data protection or privacy issues contact the Information Policy & Compliance team or James leaton Gray the head of IPC .