

Data Protection Glossary

These definitions help to explain some of the key concepts in data protection law.

Personal data

Information about a living individual (Data Subject) from which that individual can be identified, either directly, or indirectly by using other data accessible to the Data Controller (e.g. audience/supporter ID number), or likely to come into its possession. (Note that information about living individuals which appears to be anonymous may still be personal data because a key to the identities is held in another part of the same institution. Pseudonymised data can fall within scope and is specifically referred to in the GDPR).

Special category personal data (sensitive)

Personal data relating to:

- Racial or ethnic origin;
- political opinions;
- religious or other beliefs;
- physical or mental health or condition (including disability);
- sexual life;
- genetic or biometric data for the purpose of uniquely identifying a natural person.

Information about criminal convictions and offences is also to be considered under this definition as the provisions are essentially the same. It is to be noted that the opinion of the Data Subject or the Data Controller as to the sensitivity of the data is not a relevant criterion in determining whether data is considered special category data under the law. (The use of the term "sensitive" with other, less technical meanings, is in general best avoided in the context of information processing).

In the case of the processing of special category personal data, the explicit consent of the Data Subject is normally required, although there are other legal bases, such as in connection with occupational health.

Processing

Processing has a broad definition. Personal Data is being "processed" when it is held, collected, maintained, recorded, altered, retained, used, disclosed, shared or destroyed.

Data Subject

Person about whom personal data is processed. (A Data Subject must be a living individual ('natural person'); data relating to the deceased is not covered by the provisions of data protection legislation).

Data Controller

The institution which determines how personal data is being processed, and is legally liable for ensuring that Data Subjects are informed of the nature of the processing being undertaken, for data security, etc. Gresham College, as a legal entity is the Data Controller, rather than individual departments or employees.

Joint Data Controllers

Where two or more Data Controllers jointly determine the purposes and means of processing and share legal liability for the processing, including the obligation to keep Data Subjects informed of the processing purposes and rights (and obtaining any necessary Data Subject consents).

Data Processor

An institution or individual which acts under instructions from a Data Controller in processing personal data on its behalf. A Data Processor may have considerable delegated powers (such as responding to a subject access request directly as per the Data Controller's procedures). Alternatively, a Data Processor could have one relatively straightforward function, such as sending out mailings or destroying confidential waste involving personal data. A provider of externally-hosted computing facilities will usually be a Data Processor. The Data Controller must control the work of the Data Processor by written contract terms; direct supervision is often desirable.

Privacy Notices (also sometimes Fair Processing/Data Collection/Privacy Policy)

The formal statements delivered by the Data Controller, by which the Controller discharges their responsibility under Articles 13 or 14 of GDPR to inform Data Subjects of the identity of the Data Controller, and other necessary information to ensure fair processing, in particular relating to the purposes for which the data is being processed and Data Subjects' rights. For example, Gresham College's privacy notice for its website is linked in the footer of all its website pages.

Data Subject Access Request

Data Subjects have a right of access to information about and a copy of data which the Data Controller is processing about them. Not to be confused with requests made under the Freedom of Information Act.