

# Data protection definitions

Listed below are definitions of the terms used in the General Data Protection Regulation and the implementing Data Protection Bill.

## **Assessment Notice**

A written notice sent to a Controller or Processor requiring them to permit the Information Commissioner to carry out an assessment of their compliance with data protection legislation.

## **Biometric data**

Personal data resulting from specific technical processing relating to the physical, physiological or behavioural characteristics of an individual, which allows or confirms their unique identity e.g. facial images or fingerprint data.

## **Consent**

Any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of their personal data.

## **Controller**

A natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

## **Data concerning health**

Personal data related to the physical or mental health of an individual, which reveals information about his or her health status; this includes the provision of health care services;

## **Data subject**

An identified or identifiable living individual / natural person that the personal data relates to.

## **Enforcement notice**

A written notice which requires the person to (a) take steps specified in the notice, or (b) refrain from taking steps specified in the notice, or both.

## **Exemptions**

Exemptions, restrictions and adaptations of the application of the provisions of the GDPR.

## **Filing system**

Any structured set of personal data which are accessible according to specific criteria, whether held by automated means or manually whether centralised, decentralised or dispersed on a functional or geographical basis;

## **Genetic data**

Personal data relating to the inherited or acquired genetic characteristics of an individual; it provides unique information about their physiology or health, in particular, the results from an analysis of a biological sample.

## **Group of undertakings**

A controlling undertaking and its controlled undertakings.

**Health record**

A record which:

- (a) consists of data concerning health; and
- (b) has been made by or on behalf of a health professional in connection with the diagnosis, care or treatment of the individual to whom the data relates.

**Identifiable living individual / natural person**

A living individual who can be identified, directly or indirectly, in particular by reference to:

- (a) an identifier such as a name, an identification number, location data or an online identifier; or
- (b) one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual / natural person.

**Inaccurate**

Personal data that is incorrect or misleading.

**Penalty notice**

A written notice from the ICO that requires the person/entity named to pay to the ICO an amount, in sterling, specified in the notice

**Personal data**

Any information relating to an identified or identifiable living individual / natural person (data subject);

**Personal data breach**

A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.

**Processing**

Any operation or set of operations performed on personal data or sets of personal data by manual or automated means and can include but is not limited to: obtaining, recording, collecting, holding or carrying out any set of operations on personal information, including organising, adapting, structuring, altering, amending, storing, retrieving, consulting, using, transmitting, sharing, disseminating, disclosing, making available, aligning, combining, comparing, matching, blocking, restricting, reading, deleting, erasing or destroying.

**Processor**

A natural or legal person, public authority, agency or other body that processes personal data on behalf of the Controller.

**Profiling**

Any form of automated processing of personal data used to evaluate certain personal aspects relating to a living individual / natural person, in particular to analyse or predict aspects concerning that individual's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

**Pseudonymisation**

The processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

**Purpose**

The reason the personal information is being processed.

**Recipient**

A natural or legal person, public authority, agency or another body to which the personal data are disclosed, whether a third party or not. It does not include any public authority to whom the Controller may be required by law to disclose personal data in any particular case, e.g. if required by the police under a warrant.

**Restriction of processing**

The marking of stored personal data with the aim of limiting its processing in the future.

**Special Categories of personal data**

Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership of a data subject, the processing of genetic data, biometric data for the purpose of uniquely identifying an individual, data concerning health or an individual's sex life or sexual orientation.

This type of data is subject to further regulations under the GDPR and the Data Protection Bill and can only be processed under certain circumstances. Processing of personal data relating to criminal convictions and offences is also restricted.

**Special purposes**

Covers one or more of the following:

- the purposes of journalism;
- academic purpose;
- artistic purposes; or
- literary purposes.

There are extensive exemptions which can be claimed in respect of processing personal data for one or more of these purposes.

**Subject access request**

A request made by an individual for a copy of their personal data processed by a Controller. Such a requests must be satisfied, except in certain specified circumstances.

**Supervisory authority**

An independent public authority which is established by a Member State i.e. the Information Commissioner in the UK

**Third country**

A country or territory outside the European Union / European Economic Area (EU/EEA).

**Third party**

A natural or legal person, public authority, agency or body. This does not include the data subject, controller, processor or persons who, under the direct authority of the controller or processor, are authorised to process personal data (i.e. employees).

If there are any other terms used on this site that you are unclear about, please contact the [Data Protection Officer](#).