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### Solutions!

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## The Digital Economy Act, 2010

A personal comment by Steve Booth

Just before the last Parliament was dissolved for the election the Government forced through the Digital Economy Act with little regard to the importance of some of the provisions of that legislation to anyone who provides Internet access to staff or public.

Whilst the Act sets out to lay foundations for making the most of digital technology, a large number of clauses deal with the issue of copyright and what should happen to those who breach it by illegally downloading copyrighted material. Now, anyone who creates intellectual property should applaud moves to protect that property; however, the terms of the Act appear to threaten penalties not against the perpetrator of the copyright breach, but against the person or organization operating the network the perpetrator was using\*. What is more, it appears that these penalties could be applied without requiring the approval of a court of law.

What this means is that a business operating a WiFi hotspot, a hotel offering in-room Internet, or even **any business whose staff have access to the Internet** could, in the worst case, find themselves cut off from the Internet through no direct fault of their own and without an opportunity to offer a legal defence.

Clearly, an Act designed to promote digital access and technology would not have been drawn up with the *intention* of destroying the very thing it seeks to promote. However, much of the wording of the Act in the area of copyright protection is a response to intense lobbying from interested parties. Normally, full and detailed debate would ensure potentially damaging clauses would, at the least, be well scrutinized before coming into Law. Even then, recent experience has shown that laws passed to protect us can be and are used as a convenient method of control. In this case, though, the Digital Economy Act did not even have the benefit of proper scrutiny.

The Liberal Democrats have stated they wish to see the Act repealed and re-drawn; at the time of writing that party is negotiating to determine the next Government so it remains to be seen whether they will have influence in this area.

In the meantime, it would be wise to ensure that users of your network understand and follow the Internet usage guidelines you have in place. If you do not currently have an Internet Usage Policy it is important that you give consideration to implementing one - we would be pleased to assist so please contact us if you would like help in this area.

\*Apparently, in an attempt to show the effect of this ill-conceived approach, several hacker groups have stated they will crack the wireless networks of several MPs and use those networks to download copyrighted material.

## Lose Data... Get Fined!

Over the past few years we have seen many instances of sensitive information being mislaid, due to lost memory sticks, laptops left on trains etc. These have tended to result in political damage or damage to a brand, but that has been the limit for the organization losing the data.

Under a change to the Data Protection Act that came into force during April, that has changed; an organization that “recklessly” loses information could now face a fine of up to £500,000.

The changes affect both public and private organizations and fines of up to half a million pounds could be imposed on businesses that breach the DPA in such a way that substantial damage or substantial distress could be caused—for example, a breach resulting in identity fraud or loss of sensitive personal information (e.g. medical information) that could cause personal distress.

The size of any fine would be set by the Information Commissioner’s Office and would depend upon the circumstances of the breach and the nature of the organization that caused it.

Although fines at the high end would most likely be applied only to larger companies and organizations, it is the first time the ICO has had a big stick with which to beat those who disregard the requirements of the Data Protection Act; it is another reminder to us all to ensure that we treat with care and respect any information we hold on individuals.

Over the last couple of months we have experienced several cases of cheques and other mail being sent to Tarragon but never arriving. We are not alone in this; we are aware that several of our clients have experienced problems of mail going astray on its way to them. Whatever the reasons for this, it causes problems and, in the case of cheques, can have consequences such as delays to orders or annoyance when an invoice, apparently paid, is chased up.

It’s easy to avoid a cheque payment going astray by making use of electronic payment facilities, such as your bank’s **Online Banking** facility, **BACS**, **Direct Debit** or using a **Credit Card** (fee payable). If you’d like to discuss using any of these, please contact Carolyn in Accounts on 0800 0199 925.

### Tip of the Month - Turn off Word Grammar checking

I find the green wavy lines that sometimes Word inserts under a phrase a real annoyance, especially as often Word makes a nonsensical complaint about the grammar in question. It’s easy to turn off grammar checking, however:

In Word 2010, use **File > Options > Proofing** and clear the box “**Mark Grammar errors as you type**”.

In Word 2007, click on the round **Office Button**, then **Word Options** then **Proofing**. Clear the box “**Mark Grammar errors as you type**”.

In earlier versions of Word, use **Tools > Options > Spelling and Grammar** and clear the “**Check Grammar as you type**” box.

Please let us know what you think of [Solutions!](#) - email [solutions@tarragon.co.uk](mailto:solutions@tarragon.co.uk)