

Healthwatch Oxfordshire Data Protection Policy

1 INTRODUCTION

- 1.1 Healthwatch Oxfordshire needs to obtain and keep information about its clients, members, Board of Directors, employees, volunteers and suppliers in order to run effectively and efficiently. As soon as the CIC is registered we will register with the Information Commissioner's Office.
- 1.2 To comply with the law, the information we obtain will be collected and used fairly, stored safely and not disclosed to any other person unlawfully. To meet these requirements, Healthwatch Oxfordshire staff, Board members and volunteers must follow the eight Data Protection Principles set out in the Data Protection Act 1998, which are summarised below:
- (i) Personal data must be obtained and processed fairly and lawfully.
 - (ii) Data can be collected and used only for specified and lawful purposes.
 - (iii) Data must be adequate, relevant and not excessive for the purposes for which they are processed.
 - (iv) Data must be accurate and kept up-to-date.
 - (v) Data must not be held any longer than necessary.
 - (vi) The rights of data subjects must be respected.
 - (vii) Data must be kept safe from unauthorised access, accidental loss or damage.
 - (viii) Data must not be transferred to a country outside the European Economic Area unless that country has equivalent levels of protection for personal data.

2 DEFINITIONS

Client:	An individual or organisation using or receiving a service from Healthwatch Oxfordshire
Contact details:	Information required to contact an individual or organisation by post, telephone, fax or email.
Data:	Includes information held in both electronically and on paper.
Data Controller:	Healthwatch Oxfordshire
Data Protection Officer:	An employee designated by the Board to undertake the duties allocated by the Board to this post.
Healthwatch Oxfordshire member:	A personal subscriber or a representative of a subscribing organisation
Personal data:	Data from which a living individual can be identified, including name, address, phone number, fax number, email address, and other personal information.
Process:	Includes obtaining, recording, handling, using, deleting and destroying data.
Volunteer:	People specifically recruited by the organisation to carry out tasks which would otherwise be undertaken by employed staff

3 APPLICATION OF THE POLICY

3.1 Healthwatch Oxfordshire Board members, employees and volunteers who process or use any personal information in the course of their duties must follow the Data Protection Principles (paragraph 1.2) at all times. This is a legal requirement and any failure to comply may result in disciplinary proceedings.

3.2 This policy covers the following categories:

Section 4 - Personal data relating to Healthwatch Oxfordshire members and clients.

Section 5 - Personal data relating to Healthwatch Oxfordshire Board members, employees and volunteers.

3.3 Anyone who believes that this policy has not been followed with regard to personal data about him/her should raise the matter with the person responsible for that data. If the matter is not satisfactorily resolved, it should be raised as a formal grievance.

4 DATA ABOUT MEMBERS AND CLIENTS

4.1 Purposes

4.1.1 Personal data

Subject to paragraph 4.1.2, personal data that Healthwatch Oxfordshire obtains from its members and clients will be:

- processed solely to assist staff and volunteers in the efficient running of the organisation and the provision of services;
- used only to send them material that is considered likely to be of interest to them.

4.1.2 Contact details

Contact details held by Healthwatch Oxfordshire may be made available to groups/individuals outside Healthwatch Oxfordshire where this is integral to the provision of a service, e.g. the publication of a directory intended to help the public to access essential services.

4.2 Consent

4.2.1 Details provided by members or clients

New members or clients who provide their personal details to Healthwatch Oxfordshire will be given an explanation of how these details will be used. Written consent to use this information for the purposes stated in paragraphs 4.1.1 and 4.1.2 will not be requested, as it will be assumed that those who freely give such information have granted consent.

4.2.2 Details provided by third parties

When personal details are provided by a third party, the potential member or client will be asked if he/she is willing to grant permission for Healthwatch Oxfordshire to process this information.

4.2.3 Sharing members' or clients' personal data

Subject to paragraph 4.1.2 members' or clients' personal data will not be passed on to anyone outside Healthwatch Oxfordshire without explicit consent from that person unless there is a legal duty of disclosure under other legislation, in which case approval from Healthwatch Oxfordshire's designated Data Protection Officer is required before the information is disclosed.

4.3 Access

4.3.1 Employees and volunteers

Only Healthwatch Oxfordshire employees and volunteers will normally have access to the personal details of members and clients. All staff and volunteers are made aware

of Healthwatch Oxfordshire Data Protection Policy and their obligation not to disclose personal data to anyone not authorised to have it.

4.3.2 **Requests for records**

Members and clients will be supplied with a copy of their personal data held by Healthwatch Oxfordshire if they so request. It is Healthwatch Oxfordshire policy to supply this information free of charge.

4.4 **Accuracy and Retention**

Healthwatch Oxfordshire's employees and volunteers will take reasonable steps to keep personal data up-to-date and accurate and make corrections in a timely fashion. Personal data will be retained only for as long as is necessary for its specified purpose. This will normally be for as long as an individual remains a member or a client, but personal data may be kept for longer if the Data Protection Officer agrees that it is appropriate to do so for future reference. However, we will destroy such records if explicitly asked to do so by the individual ceasing to be a member or client.

If a request is received from an organisation to destroy our records of its details, we will do so. It is the responsibility of the Data Protection Officer to ensure that this is done, and it is the responsibility of all Healthwatch Oxfordshire employees and volunteers to inform the Data Protection Officer if such a request is received. This procedure also applies if Healthwatch Oxfordshire is informed that an organisation has ceased to exist.

4.5 **Storage**

Every effort will be made to ensure that personal data stored both electronically and on paper is held securely. For example:

- if held on paper, it must be kept in a locked filing cabinet or drawer;
- if held electronically, it must be password protected or kept only on disks which are themselves kept securely.

4.6 **Use of Photographs**

Where practicable, Healthwatch Oxfordshire will seek the consent of members or clients before displaying photographs in which they appear. If this is not possible (e.g. a large group photo), Healthwatch Oxfordshire will remove any photograph if a member or client or a relative or friend of the member or client makes a complaint. This policy also applies to photographs published on the Healthwatch Oxfordshire website.

5 DATA ABOUT BOARD MEMBERS, EMPLOYEES AND VOLUNTEERS

5.1 **Purposes**

Personal data about Board members, employees and volunteers will be stored and processed for the following purposes:

- to assess the suitability of an applicant for a specified role;
- to monitor employee performance and achievements;
- to keep track of availability and other necessary details with respect to volunteering opportunities;
- to distribute relevant Healthwatch Oxfordshire material (e.g. information packs);
- to enable Healthwatch Oxfordshire to comply with its legal obligations.

5.2 **Access**

5.2.1 **Board members, employees and volunteers**

The contact details of Healthwatch Oxfordshire Board members, employees and volunteers will normally be made available only to other Board members, employees and volunteers. However, contact details may be given to others outside Healthwatch Oxfordshire provided the individuals concerned have given their explicit consent. All other personal data will be held securely and made available only to those authorised to see it.

5.2.2 Requests for records

Board members, staff and volunteers will be supplied with a copy of their personal data held by Healthwatch Oxfordshire if they so request. It is Healthwatch Oxfordshire Oxfordshire’s policy to supply this information free of charge.

5.3 Accuracy and Retention

Healthwatch Oxfordshire will take reasonable steps to keep personal data up-to-date and accurate and make corrections in a timely fashion. Personal data will be retained only for as long as is necessary for its specified purpose. This means that Healthwatch Oxfordshire may be required to keep some personal data even after an individual has ceased to be a Board member, employee or volunteer, e.g. information necessary to provide references for a former employee, information relating to tax and pension arrangements. The Director is ultimately responsible for ensuring that personnel files no longer required are destroyed.

5.4 Storage

The policy set out in paragraph 4.5 applies to personal data about Board members, employees and volunteers.

5.5 Use of Photographs

The policy set out in paragraph 4.6 applies to photographs of Board members, employees and volunteers.

5.6 Guidelines

The Guidelines set out in Appendix 1 attached apply to Healthwatch Oxfordshire Board members, employees and volunteers.

Policy approved by the Board of Directors on:	14/11/14
Manager responsible for monitoring implementation of the Policy:	Communications Officer
Review Interval	Biennial
Last Reviewed	

Appendix 1: Guidelines for Board Members, Employees and Volunteers

During the course of your work for Healthwatch Oxfordshire, you may handle information such as names, addresses, phone numbers and email addresses of Healthwatch Oxfordshire members, clients or volunteers. You may also be told or overhear sensitive information. The Data Protection Act 1998 gives specific guidance on how such information should be dealt with by organisations like Healthwatch Oxfordshire. In brief, personal information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully.

The following guidelines are intended to help you to comply with the terms of the Data Protection Act while working for Healthwatch Oxfordshire. Please read them carefully and ask the Data Protection Officer if you are in any doubt about any of them.

Sharing members' or clients' personal information

'Personal information' includes details such as addresses/phone numbers and health details supplied by members/clients. Such information may be shared between employees and volunteers at Healthwatch Oxfordshire for work reasons, but should not be given to anyone outside Healthwatch Oxfordshire without explicit consent from the individual concerned. If such a situation arises, please ask your line manager for advice.

New members/clients

All requests from new members/clients for any service offered by Healthwatch Oxfordshire should be referred to the appropriate member of staff. If the appropriate member of staff is not available, please take a name and contact number only and pass on the message. This is particularly important when dealing with a third party (e.g. if a relative or friend phones on behalf of a client), as Healthwatch Oxfordshire should not collect information about a person who has not given permission for his/her details to be used. In most cases, however, it is assumed that if a representative of a group contacts Healthwatch Oxfordshire then that group has given Healthwatch Oxfordshire permission to use their details.

Unlawful disclosure of personal information

(a) Conversations, both within and outside Healthwatch Oxfordshire Oxfordshire's premises

Under the Data Protection Act, you are committing a criminal offence if you disclose personal information 'knowingly or recklessly' to anyone you are not supposed to, so please be careful. Please try to ensure that conversations in any public place are as private as possible, and be aware that conversations containing personal or sensitive information may be overheard by people who should not have access to such information.

(b) Use of files, books, other paper records and electronic equipment

In order to prevent unauthorised access and accidental loss or damage to personal information held on paper, please take good care of files, books and other paper records while on duty, and ensure that they are stored safely before you leave the building. If you have good reason to take any files, materials or equipment off site, these must be looked after with care to prevent unauthorised access. Particular care must be taken with lap-tops, which should routinely be transported in the locked boot of your car, and with USBs ('memory sticks').

(c) Disposal of scrap paper

Be aware that names/addresses/phone numbers and other information written on scrap paper are also considered to be confidential. Please shred such notes before disposing of them.