



Family Support Wales

DATA PROTECTION

Domiciliary Care Agencies (Wales) Regulations 2004
Reg: 20 Standard: 6 – Confidentiality

Policy Statement

Family Support Wales believes that all records required for the protection of service users and for the effective and efficient running of Family Support Wales should be collected, maintained and kept according to the *Data Protection Act 1998*.

The Policy

Family Support Wales is registered under the *Data Protection Act 1998* and all storage and processing of personal data held in manual records and on computers in Family Support Wales will comply with the Act. Family Support Wales understands that, according to the *Data Protection Act 1998*, personal data should:

- Be obtained fairly and lawfully
- Be held for specified and lawful purposes
- Be processed in accordance with the person's rights under the DPA
- Be adequate, relevant and not excessive in relation to that purpose
- Be kept accurate and up to date
- Not be kept for longer than is necessary for its given purpose
- Be subject to appropriate safeguards against unauthorised use, loss or damage
- Be transferred outside the European Economic Area only if the recipient country has adequate data protection.

Under the *Data Protection Act 1998*, Family Support Wales has a nominated data user/data controller. The data user/data controller for Family Support Wales is **Clive Pearce**. The data user must keep up to date with all relevant legislation and guidance which has already been mentioned in previous policies (please refer to policies and procedures on confidentiality).

In addition, the following documents must be used in order that Family Support Wales is compliant with all aspects of the *Data Protection Act 1998* in regard to the type of data held.

A Quick Guide to Employment Practices Code issued by The Information Commissioners Office (ICO) (26 pages). www.ico.org.uk

Supporting Children & Adults Across South Wales

This guidance has been produced with the needs of small businesses in mind. It is designed to assist them comply with the *Data protection Act 1998* when recruiting and employing workers. There is a separate Employment Practices Code which gives detailed information on good practice and legal responsibilities in respect to employee's data. **The Employment Practices Code (96 pages) is also available from the above website.**

Subject Access Code of Practice (58 pages) www.ico.org.uk

This deals with requests from individuals for personal information.

This Code of Practice explains the rights of individuals to access their personal data. It also clarifies what you must do to comply with your duties as a data controller. The Code deals with a request made under Section 7 of the *Data Protection Act 1998* as a "Subject Access request" (SAR). It details in full exactly what we as an organisation must do and what we must consider in the context of a SAR.

The above guidance is regularly reviewed and updated by the ICO.

Related Policies

Access to Record

Confidentiality

Consent

Information Sharing Protocol

Information Security

Record Keeping

Training Statement

All new staff should be encouraged to read the policies on data protection and on confidentiality as part of their induction process. Training in the correct method for entering information in service users' records should be given to all care staff. The nominated data user/data controller for Family Support Wales will be trained appropriately in the *Data Protection Act 1998*. All staff who need to use the computer system will be thoroughly trained in its use.