



NORTHERN IRELAND PRACTICE AND EDUCATION  
COUNCIL FOR NURSING AND MIDWIFERY

# **POLICY STATEMENT**

## **Data Protection**

**June 2016**

**Review date: April 2019**

Centre House  
79 Chichester Street  
BELFAST  
BT1 4JE

Tel: 0300 300 0066

[www.nipec.hscni.net](http://www.nipec.hscni.net)

## **Introduction**

1. NIPEC is fully committed to complying with the Data Protection Act 1998 (DPA) which came into force on 1 March 2000.
2. We will follow procedures to ensure that all employees, contractors, agents, consultants and other parties who have access to any personal information held by or on behalf of us are fully aware of and abide by their duties and responsibilities under the Act.

## **Statement of Policy**

3. We need to collect and use information about people with whom we work in order to carry out our business and provide our services. These may include members of the public, current, past and prospective employees, clients, customers and suppliers. In addition, we may be required by law to collect and use information. All personal information, whether in paper, electronic or any other format, must be handled and managed in accordance with DPA.

## **Data Protection Principles**

4. We fully support and comply with the eight principles of the Act. In summary, this means personal information must be:
  - (i) processed fairly and lawfully;
  - (ii) processed for limited purposes and in an appropriate way;
  - (iii) relevant and sufficient for the purpose;
  - (iv) accurate;
  - (v) kept for as long as is necessary and no longer;
  - (vi) processed in line with individuals' rights;
  - (vii) secure; and
  - (viii) only transferred to other countries that have suitable data protection controls.
5. Our purpose for holding personal information, along with a general description of the categories of people and organisations to which we may disclose it, are listed in the Information Commissioner's Data Protection Register.

## **Disclosure of Personal Information**

6. Strict conditions apply to the disclosure of personal information both internally and externally. We will not disclose personal information to any third party unless we believe it is lawful to do so. Respect to confidentiality will be given where appropriate. In certain circumstances, information relating to staff acting in a business capacity may be made available provided:
  - we have the statutory power or are required by law to do so; or
  - the information is clearly not intrusive in nature; or
  - the member of staff has consented to the disclosure; or
  - the information is in a form that does not identify individual employees.

## Handling of Personal Information

7. All staff will, through appropriate training and responsible management:
- fully observe conditions regarding the fair collection and use of personal information;
  - meet our legal obligations to specify the purposes for which personal information is gathered and used;
  - collect and process appropriate personal information only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
  - ensure the quality of personal information used;
  - apply strict checks to determine the length of time personal information is held;
  - ensure that the rights of people about whom information is held can be fully exercised under the Act;
  - take appropriate technical and organisational security measures to safeguard personal information; and
  - ensure that personal information is not transferred abroad without adequate safeguards.

## Compliance

8. We will ensure that:
- there is always someone with specific responsibility for Data Protection in the organisation;
  - all Subject Access Requests (SARs), which are received in writing, will be dealt with in accordance with the Data Protection Act and within 40 calendar days of receipt;
  - each year staff are reminded of their obligations under DPA;
  - everyone managing and handling personal information understands that they are directly and personally responsible for following good Data Protection practice;
  - only staff who need access to personal information as part of their duties are authorised to do so;
  - everyone managing and handling personal information is appropriately trained to do so;
  - everyone managing and handling personal information is appropriately supervised;

- anyone wanting to make enquiries about handling personal information knows what to do;
- queries about handling personal information are promptly and courteously dealt with;
- methods of handling personal information are clearly described;
- a regular review and audit is made of the way personal information is managed;
- methods of handling personal information are regularly assessed and evaluated;
- performance on handling personal information is regularly assessed.

9. To assist in achieving compliance, we have:

- appointed the Head of Corporate Services as the officer with overall responsibility for Data Protection within NIPEC;
- appointed the Corporate Services Manager as a Data Protection Officer responsible for monitoring compliance of the Act throughout NIPEC; providing advice and guidance; dealing with escalated complaints from data subjects; liaising with the ICO and HSC solicitors on data protection issues; and
- created a 'NIPEC Data Protection Manual', providing staff with detailed guidance on data protection procedures.

### **Staff Responsibilities**

10. All staff have a responsibility to protect the personal information held by NIPEC. They will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure and in particular will ensure that:

- they are appropriately trained in the handling of personal information;
- paper files and other records or documents containing personal/sensitive data are kept in a secure environment;
- personal data held on computers and computer systems is protected by the use of secure passwords which, where possible, have forced changes periodically; and
- individual passwords are not easily compromised.

11. If and when, as part of their responsibilities, staff collect information about other people, they must comply with the guidance set out in our Data Protection Staff Handbook. No one should disclose personal information outside this guidance or use personal data held about others for their own purposes.

### **Third Party Users of Personal Information**

12. Any third parties who are users of personal information supplied by NIPEC will be required to confirm and demonstrate that they will abide by the requirements of the Act. There will be an expectation that these parties will audit their compliance with the DPA and will provide assurances to NIPEC in this respect.

### **Policy Awareness**

13. A copy of this policy statement will be given to all new members of staff and interested third parties. Existing staff and any relevant third parties will be advised of the policy which will be posted on our NIPEC website, as will any subsequent revisions. All staff and relevant third parties must be familiar with and comply with this policy at all times.

Signed: \_\_\_\_\_  
Chief Executive

Date: \_\_\_\_\_