

# Sheffield Parent Carer Forum

## Data Protection Policy



<b>Approved by:</b>	SPCF Management Committee
<b>Approved on</b>	12 <sup>th</sup> November 2010
<b>Reviewed on:</b>	4 <sup>th</sup> November 2011, by SPCF Management Committee 13 <sup>th</sup> July 2012, by SPCF Management Committee 22 <sup>nd</sup> May 2015, by SPCF Management Committee
<b>Next review due on:</b>	

## **POLICY STATEMENT**

Sheffield Parent Carer Forum (SPCF) regards the protection of individuals' personal and sensitive data to be of the greatest importance and will comply with the requirements of the current data protection legislation at all times (Data protection Act 1998 <http://www.legislation.gov.uk/ukpga/1998/29/contents> )

SPCF is registered with the Information Commissioner as a data controller and maintain its notification status with the Commissioner. SPCF will hold personal data in accordance with the principles and requirements of good practice. Procedures will be put in place to ensure the fair processing of data relating to individuals.

Throughout this policy the term "individuals" usually means SPCF members (parent carers and practitioners/professionals), and sometimes also children and young people with disabilities. For the purposes of this policy, the term is usually synonymous with the legal term "data subject".

The Policy should be read in conjunction with SPCF's Confidentiality Policy to which it is closely related.

## **INDIVIDUALS' RECORDS**

All information regarding individuals will be treated as confidential. Where information on individuals or children/young people has to be disclosed to other organisations, SPCF will normally seek prior consent. Any disclosure without consent will only be authorised in exceptional circumstances, and individuals and, where appropriate, the children/young person, will be given every opportunity to know what is in their files, to know with whom SPCF shares information, and to have access to their files if they wish, at no charge.

Information on people being cared for will not be used for marketing or fundraising purposes, other than for statistical information.

## **RESEARCH**

Records relating to users of Forum services will not be used for research purposes except in the following circumstances:

- Where research is being carried out for SPCF's own purposes, any researcher must undertake to respect client confidentiality before being given access to records.
- Where the research involves the compilation of statistics, or the amalgamation of records into a form where no information about specific individuals is disclosed or can be inferred, individuals do not need to be contacted, and no consent need be sought.
- Where information is passed to outside organisations for their own research purposes, individuals will be informed about this possibility at the time they

first provide SPCF with information, if this is appropriate, or at the earliest suitable opportunity after that.

## **USE OF CASE HISTORIES AND PHOTOGRAPHS**

SPCF will always take reasonable steps to seek the consent of an individual where that individual's case history is used for research or any other purpose, even when that individual's story is used anonymised or disguised. If consent is refused, or if the individual cannot be contacted, the case will not normally be used.

Individuals' photographs will normally only be used for any purpose (such as Annual Reports, Newsletters our website etc) with the consent of the subject.

## **WEBSITE**

SPCF collects information from users of its website when they fill out a membership form, use the enquiry form, or register for RSS feeds or email updates.

The SPCF website uses cookies in order to enhance the experience of users by:

1. Tracking visitor statistics using Google Analytics.
2. Allowing users to share content on various social network sites.

The SPCF website contains links to other websites. These third party sites have separate and independent privacy policies. SPCF therefore has no responsibility or liability for the content and activities of these linked sites.

Most articles on the SPCF website include a Facebook commenting interface. Comments posted on the SPCF website via Facebook account must be approved by SPCF prior to publication. SPCF reserves the right to take action regarding comments which are deemed to contain inappropriate language, false accusations or personal attacks. Action may range from simply deleting a comment and providing a warning, up to and including banning a user from future commenting privileges. Users are strongly advised not to disclose personal information over the Internet, and to keep their usernames and passwords secure at all times.

## **SHARING OF INFORMATION**

SPCF will not normally share any information about individuals with any other agency without their consent.

However:

- information sharing may take place without the consent or the knowledge of the individual concerned in circumstances outlined in SPCF's Confidentiality Policy.

- where SPCF is legally bound to provide information, no consent need be sought, nor will individuals necessarily be informed that the information has been provided.
- statistical or other information may be shared, for research or other purposes, where individuals cannot be identified without the consent or knowledge of the individuals to which it relates.
- exceptionally, personal data may be shared in a collaborative or consortium arrangement without their informed consent, if a data sharing protocol provides adequate safeguards.

## **ACCESS REQUESTS BY INDIVIDUALS**

All individuals have a legal right of access to their own personal data, and to a copy of the data if they wish, within the statutory time limit of 40 days. No reason need be given. SPCF will not make a charge for this.

Parent carers do not have an automatic right of access to personal information about the person they care for if that person is over 18.

SPCF may withhold access in certain circumstances including:

- where the data has originated from a third party
- where the data was provided explicitly on a confidential basis by a third party acting in a professional capacity (such as a doctor or social worker).
- where the data contains information that relates to an identifiable third party

In any case where a file contains information about more than one person, great care will be taken when providing an individual with access to his/her personal data to avoid inadvertently breaching the confidentiality of a third party.

## **RECORD KEEPING AND DESTRUCTION**

It is necessary for SPCF to keep records of personal details of parent carers and other individuals, their circumstances and of SPCF's contact with them. This record-keeping serves many purposes, including facilitating the smooth running of SPCF, enabling it to maximise the help it gives to individuals and for monitoring purposes.

SPCF will take the utmost care to ensure that records are accurate, factual and legible, and that it records no more information than is necessary. SPCF will always correct any error in its records that is brought to its attention.

Records will be kept securely and SPCF will take steps to ensure that they will only be accessible to persons properly authorised for that purpose.

Electronic records will similarly be kept securely and will be subject to adequate back-up arrangements.

Paper records will be destroyed no longer than six years after the individual they relate to has ceased contact with SPCF. The same stipulation will apply to electronic records, but in this case the records may be anonymised instead of being deleted.

When the young person(s) that a member cares for reaches the age of 25 SPCF will send the family an exit letter referring them on to adult support groups and the Carers Centre where appropriate, and their details will be removed from the membership database. SPCF will check the membership database once a year to identify members whose cared-for person is over the age of 25.

### **IMPLEMENTATION OF THIS POLICY**

SPCF will develop a Procedure Manual covering the practical details relating to the implementation of this policy, and of SPCF's Confidentiality Policy.