



Therapy in Praxis

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THERAPY IN PRAXIS

DATA PROTECTION POLICY 2014

Therapy in Praxis Limited [TIP] holds and processes information about clients, employees, and other data subjects for clinical and administrative purposes. When handling such information, TIP and all staff or others who process or use any personal information, must comply with the Data Protection Principles which are set out in the Data Protection Act 1998.

In summary these state that personal data shall

- be processed fairly and lawfully,
- be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with the purpose,
- be adequate, relevant and not excessive for the purpose
- be accurate and up-to-date,
- not be kept for longer than necessary for the purpose,
- be processed in accordance with the data subject's rights,
- be kept safe from unauthorised processing, and accidental loss, damage or destruction.

Employee Responsibilities

All employees, whether TIP or TIP's clients or their receivers, shall ensure that

- all personal information which they provide to TIP in connection with their employment is accurate and up-to-date;
- TIP are informed of any changes to information, e.g. change of address. TIP shall not be held responsible for errors of which it has not been informed.
- all personal information is kept securely;
- personal information is not disclosed either orally or in writing, accidentally or otherwise, to any unauthorised third party. Unauthorised disclosure may be a disciplinary matter, and may be considered gross misconduct in some cases.

Subject Consent



Agreement to TIP processing some specified classes of personal data is a condition of acceptance of a client's referral, or a condition of employment of staff by TIP or by TIP's clients or their receivers. In some cases, such as the handling of sensitive information or the processing of research data, TIP is entitled to process personal data only with the consent of the individual.

Sensitive information may include information about a person's health, disabilities, criminal convictions, or race or ethnic origin. TIP may also require such information for the administration of sick pay policies or of their equal opportunities policy.

TIP may also ask for information about particular health needs, such as allergies to particular forms of medication, or conditions such as asthma or diabetes. TIP will only use such information to protect the health and safety of the individual, for example, in the event of a medical emergency.

Retention of Data

TIP will keep information for no longer than is necessary depending on legal, clinical and operational requirements, after which date it will be destroyed by secure means (e.g. by shredding, pulping or burning). Further information on retention periods for different types of data is available from the Designated Data Controller.

Rights to Access Information

Clients (via their receivers if applicable), employees, and other data subjects have the right to access any personal data that is being kept about them either on computer or in structured and accessible manual files. Any person may exercise this right by submitting a request in writing to the Designated Data Controller at TIP. Certain data may be withheld under the above Act, e.g. confidential references, matters referring largely to another client or employee, data protected by legal professional privilege.

TIP will make a charge of £15 for each official Subject Access Request as allowed for by the above Act.

TIP aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 40 days unless there is good reason for delay. In such cases, the reason for the delay will be explained in writing by the Designated Data Controller to the data



subject making the request. TIP are entitled by the above Act to refuse the request if complying with the request would involve 'disproportionate effort'.

Compliance

Compliance with the Act is the responsibility of all employees of TIP or TIP's clients or their receivers. Any deliberate or reckless breach of this Policy may lead to disciplinary, and where appropriate, legal proceedings. Any questions or concerns about the interpretation or operation of this policy should be taken up with the Designated Data Controller.

Any individual, who considers that the policy has not been followed in respect of personal data about him- or herself, should raise the matter with the Designated Data Controller initially. If the matter is not resolved it should be referred in accordance with the complaints procedure as stated in the Service Agreement for clients and their receivers, and with the relevant grievance procedure for employees.

The Designated Data Controller

TIP is the data controller under the Act, and the Managing Director is ultimately responsible for its implementation. Responsibility for day-to-day matters will be delegated to S Walker as the Designated Data Controller. Further information and advice about the holding and processing of personal information is available from the Designated Data Controller.