

## THIS MONTH: DATA PROTECTION



UNDER THE 1998 Data Protection Act, everyone in the workplace has a legal duty to protect the privacy of information about individuals, *writes Alison Ryan.*

The act applies to anyone who handles or has access to information under four categories:

- Data controllers;
- Data users;
- Data subjects;
- Data processors.

The key things to remember about data are that it must be:

- Processed fairly and legally;
- Processed for limited purposes and in an appropriate way;
- Relevant and sufficient for the purpose;
- Accurate;
- Kept for as long as is necessary and no longer;
- Processed in line with individual's rights;

- Secure;
- Only transferred to other countries that have suitable data protection controls.

From time to time, your patients may want to find out what personal data is kept about them – a perfectly normal and importantly, a perfectly legal request. If this does occur, try to keep the following points in mind:

- Check the identity to make sure you give information only to the person who is entitled to it. Perhaps check date of birth, post-code or family names.
- If you are not sure about their identity and cannot check, you should suggest that the person writes in for the information. This way, if it is a third party working on behalf of the patient – for example, solicitors – you can perhaps identify them by company-

headed paper or a company stamp.

- Never give out any information about another person. For example, you should never give friends and relatives of employees their address details.

- Do not be bullied into giving information. Ask your manager or someone authorised to confirm the law.

The Data Protection Act can feel like a bit of minefield at times, but it is there to protect your patients and protect you as a business.

For consultants running their own private practice, it is worth looking into some training.

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