



# ASSOCIATION OF HEALTH PROFESSIONS IN OPHTHALMOLOGY

## Data Protection Policy

### Introduction

The Association of Health Professions in Ophthalmology (AHPO) is a professional organisation that promotes the practice, education, training and research in the field of ophthalmology and vision science throughout the United Kingdom, by promoting high standards of care and treatment of patients with disease or disability affecting the eyes or vision, advancing public education in ophthalmology and vision science, and representing the needs and interests of ophthalmology and vision science in the provision and advancement of health care.

AHPO needs to keep certain information about its stakeholders. It is also necessary to process information electronically. To comply with the law, the information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. To do this, AHPO must comply with data protection principles, which are set out in the Data Protection Act 1998.

In summary these state that personal data shall:

- Be obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met
- Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose
- Be adequate, relevant and not excessive for those purposes
- Be accurate and kept up to date
- Not to be kept for longer than is necessary for that purpose
- Be processed in accordance with the data subject's rights
- Be kept safe from unauthorised access, accidental loss or declaration
- Not to be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data

All staff or others who process or use any personal information must ensure that they follow these principles at all times. In order to ensure that this happens AHPO has developed a Data Protection Policy.

### The Policy

This policy does not form part of the formal contract of employment, but it is a condition of employment that employees will abide by the rules and policies. Any failures to follow the policy can therefore result in disciplinary proceedings. Any member of staff, who considers that the policy has not been followed in respect of personal data about themselves, should raise the matter with the designated data controller initially. If the matter is not resolved it should be raised as formal grievance.

### Notification of Data Held and Processed

All stakeholders which includes: the Trustees of AHPO, AHPO administrative staff, members of AHPO Council, members of the AHPO Examinations and Education Committees, AHPO examiners and external examiners, assessors, tutors, and workplace are entitled to:

- Know what information AHPO holds and processes about them and why
- Know how to gain access to it
- Know to keep it up to date
- Know what AHPO is doing to comply with its obligations under the 1998 Act

## **Responsibilities of staff**

All staff are responsible for:

- Checking that any information that they provide is accurate and up to date
- Informing AHPO of any changes to information
- Informing AHPO of any errors or changes

If and when, as part of their responsibilities, staff collect information about other people, (i.e. about learners they must comply with this policy

## **Data Security**

All staff are responsible for ensuring that:

- Any personal data which they hold is kept securely
- Personal information is not disclosed to any unauthorised third party
- Personal information is kept securely

## **Rights to Access Information**

All stakeholders have the right to access any personal data that is being kept about them.

In many cases AHPO can only keep personal data with the consent of the individual. In some cases, if data is sensitive, express consent must be obtained. Agreement to AHPO processing some specified classes of personal data is a condition of acceptance of a participant onto any course, and a condition of employment for staff. This includes information about previous criminal convictions.

Some jobs or courses will bring the applicants into contact with children, including young people between the ages of 16 and 18. AHPO has a duty under the Children's Act to ensure that staff are suitable for the job. The organisation also has a duty of care to all staff and Candidates and must therefore make sure that employees and those who use the company's facilities do not pose a threat or danger to other users.

## **Processing Sensitive information**

Sometimes it is necessary to process information about a person's health, criminal convictions or family details. This may be to ensure the company is a safe place for everyone, or to operate other AHPO policies, such as the sick pay policy or equal opportunities policy. Because this information is considered sensitive, and it is recognised that the processing of it may cause particular concern or distress to individuals, staff and students will be asked to give express consent for AHPO to do this.

## **Retention of Data**

In general AHPO will keep information about students for a maximum of 5 years.

## **Conclusion**

Compliance with the 1998 Act is the responsibility of all members of AHPO. Any deliberate breach of the data protection policy may lead to disciplinary action being taken, or access to the company facilities being withdrawn, or even a criminal prosecution.

Any questions or concerns about the Interpretation or operation of this policy should be taken up with AHPO trustees.