



Taunton
Association for
Psychotherapy

Taunton Association for Psychotherapy (TAP) Data Protection Policy

The following is the policy of Taunton Association for Psychotherapy (TAP) regarding the handling of data. This policy is in line with the UKCP Data Protection Policy and applies to TAP and any constituent committees, including the TAP Council.

This policy shall be reviewed annually by the TAP Council or its delegate.

What is Data Protection?

The Data Protection Act 1988 (the Act) aims to protect an individual's fundamental rights and freedoms, notably privacy rights, in respect of personal data processing. The Act applies to paper and electronic records held in structured filing systems containing personal data, meaning data which relates to living individuals who can be identified from the data.

Data protection operates by giving individuals the right to gain access to their personal data. This is done by making a subject access request in which they are entitled to:

- a description of their personal data
- the purposes for which they are being processed
- details of whom they are or may be disclosed to

Individuals can also prevent processing of their data in certain circumstances, opt-out of having their data used for direct marketing and in automated decision-making processes, apply to the courts for inaccurate data to be corrected and claim compensation for damage and distress caused as a result of any data protection breach.

All organisations must notify the Information Commissioner of the processing of personal data; this is included in a public register. The public register of data controllers is available on the Information Commissioner's website (<http://www.ico.gov.uk/>), from where you can search for UKCP and TAP's or any other organisation's notification.

Principles

In accordance with the principles of the Data Protection Act 1998 TAP shall:

- 1 Process personal data fairly and lawfully and, in particular, not process data unless these principles and the rules set out here are followed.
- 2 Obtain personal data only for specified and lawful purposes, and not process data in any manner incompatible with that purpose or those purposes.
- 3 Obtain personal data that is adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- 4 Keep personal data accurate and up to date.
- 5 Not keep personal data for longer than is necessary for their legitimate purposes.
- 6 Process personal data in accordance with the rights of data subjects under the Data Protection Act.
- 7 Take appropriate technical and organisational measures against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- 8 Not transfer personal data to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Data Subjects

Data Subjects are defined as being individuals about whom information is held.

- Psychotherapists, Psychotherapeutic Counsellors, other therapists and members of the public
- Correspondents and enquirers
- Advisors, consultants and other professional experts

Data Classes

Data classes are the types of data which are being or which are to be processed:

- Personal details
- Website username and password
- Financial details
- Goods or services provided
- Employment details
- Education & training details
- Your preferences of the types of information that you prefer to receive and what types of information about yourself you are willing to share with others

Recipients

Recipients are individuals or Organisations to whom TAP as a data controller intends or may wish to disclose data. This list does not include any person to whom TAP as a data controller may be required by law to disclose in any particular case, for example, if required by the police under a warrant.

This list should not be read as a list of those to whom data **will** be disclosed. TAP is required to make clear all of the possible categories of 'recipient' to which they might need or wish to disclose data – either in pursuit of their regulatory and public protection functions or in relation to permissions sought from and granted by a data subject or an organisational member.

- Data subjects themselves
- Current, past or future employers
- Healthcare, social and welfare advisers or practitioners
- Education, training and accrediting establishments and examining bodies
- Employees and agents of the TAP
- Suppliers, providers of goods and services
- Persons making an enquiry or complaint
- Police forces
- Private investigators
- Local government
- Central government
- Voluntary and charitable organisations
- Ombudsmen and regulatory authorities

Purposes

The purposes to which TAP as a Data Controller may put the data held are described here. This list does not represent the purposes to which *all* data held will *always* be put.

TAP holds a wide range of data types relating to diverse data subjects. At various times the data held in respect of these subjects may be used in relation to some or all of the following purposes:

- **Accounting and auditing**
- **Administration of membership records & CPD**
- **Advertising marketing and public relations for others**
- **Information and databank administration**
- **Processing for *not for profit* organisations**
- **Realising the objectives of a charitable organisation or voluntary body**

Psychotherapists / Individual Member Consent

In order to be registered with TAP, psychotherapists / individual members ("members") must agree to TAP holding the required details (along with any additional optional information

requested that they elect to supply) and information on a computer database. If members do not agree to this they cannot be entered on the TAP membership register. TAP undertakes to use the information that members provide in accordance with the Data Protection Act and TAP policies.

TAP is a registered Data Controller under the Data Protection Act 1998 and follows data protection guidelines in relation to all use and storage of data held by them.

For TAP to effectively perform its regulatory and administrative functions it is necessary, at times, to send information to psychotherapists. By registering with TAP, members agree that TAP may use their contact details to correspond with them in accordance with the **TAP Privacy Notice** (attached).

In addition, and only if members approve by indicating on their registration form, we may send them information about courses, events, publications and other goods and services offered by TAP, its member organisations, and other professional and commercial organisations. TAP will not share their e-mail list with anyone else for any reason. TAP is very careful to ensure that only material that we believe is relevant to members professionally is to be sent.

Duration of Data Retention

As a data controller TAP must not hold data for longer than required or after the data subject's relationship with TAP has been terminated. It should be noted that TAP's charitable purpose means that personal data will be destroyed no less than 6 years after a person is no longer a member of TAP.

Security

TAP's office is operated on the basis that all material entering the office be regarded as confidential until otherwise defined. Clear guidelines are laid down for staff with respect to processing and provision of data to data recipients.

TAP will define which employees and Council members may have access to the personal data, and have security provisions in place to ensure that unauthorised individuals do not have access.

In pursuit of TAP's charitable goals and its regulatory and public functions, it may be necessary to release/make available certain data to various recipients. This will be done in accordance with the definitions and guidelines above.

Relationship with Existing Policies

This policy has been drawn up in association with the following documents:

- TAP Records Management & Retention Policy (attached)
- TAP Privacy Notice (attached)



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TAP Records Management Policy

Manual Records

Manual records covered by this policy are those that come under the Data Protection Act's definition of a relevant filing system: *"Any set of information relating to individuals,... structured...in such a way that specific information relating to a particular individual is readily accessible"*.

Retention of Manual Records

Manual employment records will be retained in accordance with ICSA recommended periods and statutory requirements:

<u>Document</u>	<u>Time span</u>
Service contracts for directors	3 years.
Wage/salary records (including overtime, bonuses and expenses)	6 years.
Application forms and interview notes.	1 year

Manual records will be checked every three years, to ensure that these are complied with.

Security of Manual Records

To prevent the accidental loss, destruction or disclosure of personal or sensitive data held in employee and membership records, manual records will be secured as follows:

- Managers and administrators may only have access to files for employees or members they are responsible for.
- All employee and membership files at the end of the day will be locked away securely

Telephone and Computer Records

TAP reserves the right to check records of computers, to monitor use and cost in accordance with the statutory provisions of RIPA.

Computerised Records

Computer files containing personal and sensitive data must be password protected and any electronic media on which these files are held such as memory sticks, CD / DVD or hard disk should be encrypted.

An email containing personal and sensitive data must be sent with caution and only sent to previously authenticated email addresses held in a contacts list.

The 1998 Act automatically encompasses computerised data held electronically; members and employees have the right of access to a printout of the information held about them.



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TAP Privacy Notice

Purpose of this notice

To let you know about the information TAP has about you on its database of accredited Therapists.

Current situation

The TAP database of members and interested parties (such as conference attendees) has records going back to 2007. It consists of data submitted by members and those attending workshops and conferences, as well as those requesting their details be placed on a contact list.

The database is continually updated when we receive corrections and amendments to individuals' records (e.g. address changes); these can be made at any time.

Trainees and Accredited Therapists data held on the TAP database

The type of information collected includes personal information such as address, email, website, work and home telephone numbers.

Use of data held

TAP may share your data with: other members in the Membership Directory and other members on the email list.

The membership form gives you the opportunity to highlight what details may be shared. As a TAP member you always have the right to state that your details should not be shared with other members.

Access to your information

The Data Protection Act allows individuals to find out what information is held about themselves on computer and in some paper records. This is known as the right of subject access. Further information on your rights is obtainable from www.ico.gov.uk.

You may inform us of changes to the data we keep about you at any time of the year.

To update your information please write to: TAP Administrator, 13 Holyoake Street, Wellington, Somerset TA218LD.

Or email taplimited@hotmail.co.uk

Who else has access?

The information held on your file whether paper or computer is only available to the administrator and members of the TAP Council.