

Via Vita Health Ltd collects and uses personal information about employees, clients and their employees, schools & colleges, pupils, consultants, and other individuals who come into contact with the organisation. Information is gathered in order to enable Via Vita Health to provide wellbeing programmes, education and other associated functions. For work carried out in schools we will operate under their policies and comply with any obligations.

Via Vita Health Ltd have a duty to be registered, as Data Controllers, with the Information Commissioner's Office (ICO) detailing the information held and its use. These details are then available on the ICO's website.

Purpose

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the Data Protection Act 1998, and other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically. It also takes into account General Data protection Regulation which was effective from May 2018.

All Via Vita Health staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines.

Definitions

The following key concepts need to be understood:

- Personal Data – is information held about living, identifiable individuals, including expressions of opinion or intention about them;
- Data Controller – an organisation or individual who controls the contents and use of personal data;
- Data Processor – a person or organisation who processes data on behalf of a data controller e.g. payroll bureau;
- Data Subjects – are individuals about whom the data is held; and
- Processing – obtaining, recording or using the data, including organisation, adaptation, alteration, retrieval, disclosure, or erasure of it or any combination of these.

What is Personal Information?

Personal information or data is defined as data which relates to a living individual who can be identified from that data, or other information held. All personal information will be dealt with professionally however it is collected, recorded and used, whether on paper or in electronic format.

Data Protection Principles

The Data Protection Act 1998 establishes eight enforceable principles that must be adhered to at all times:

1. Personal data shall be processed fairly and lawfully;
2. Personal data shall be obtained only for one or more specified and lawful purposes;
3. Personal data shall be adequate, relevant and not excessive;
4. Personal data shall be accurate and where necessary, kept up to date;
5. Personal data processed for any purpose shall not be kept for longer than is necessary for that purpose or those purposes;
6. Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act 1998;
7. Personal data shall be kept secure i.e. protected by an appropriate degree of security;
8. Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

General Statement

Via Vita Health is committed to maintaining the above principles at all times. As we collect personal data and information to provide our key services, it is essential that we adhere to General Data Protection Regulation (GDPR) guidelines. Therefore, Via Vita Health Ltd will:

- Inform individuals why the information is being collected, when it is collected
- Inform individuals when their information is shared, and why and with whom it was shared
- Check the quality and the accuracy of the information it holds
- Ensure that information is not retained for longer than is necessary
- Ensure that when obsolete information is destroyed, that it is done so appropriately and securely
- Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- Share information with others only when it is legally appropriate to do so
- Set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as Subject Access Requests
- Ensure our staff are aware of and understand our policies and procedures

Via Vita Health regards the security of personal information as an imperative part of our service and as such, we aim to set the highest standards of professionalism when dealing with employee and client data. Since 2017, aside from wellbeing clinic records, we now operate a paperless organisation to further reduce the opportunity of any data protection issues.

Organisation responsibility

The following objectives will maintain our standards.

- Adhere to GDPR guidelines and meet our legal obligations to specify the purposes for which information is used
- Ensure that it is easy for personal data to be removed from all systems upon employee/client request
- Collect and process appropriate information only to the extent that it is required operationally
- Continuously highlight our team's responsibility for following good information security practice
- Provide training to adhere and maintain awareness of GDPR guidelines and best practice
- Store paper-based documents in a secure and safe environment which is locked at all times
- Password protect access to all personal information and relevant electronic documents

Team Responsibility

- To keep data securely whilst in their care, never leaving paper-based records onsite
- To ensure all PC's are logged out when away from their working environment
- To not use unsecure networks at any time
- Not disclose data verbally or in writing, accidentally or otherwise to unauthorised third parties

Compliance

- Compliance with GDPR is the responsibility of all team members both individually and collectively
- Any deliberate or reckless breach of this policy, may lead to disciplinary and/or legal proceedings
- Any individual who considers the policy has not been followed, should alert the Managing Director immediately

Responsibility

It is the responsibility of each of our team to abide by this policy and continually adhere to our very high standards. As with all of our policies the Data Protection Policy will be assessed on an annual basis by the Managing Director who has ultimate responsibility for monitoring progress and identifying areas that require attention.

Complaints

Complaints will be dealt with by our data protection officer (Caroline Sidell). Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).

Review

This policy will be reviewed as it is deemed appropriate, but no less frequently than every two years. The policy review will be undertaken by the Managing Director, or nominated representative.

Contacts

If you have any enquires in relation to this policy, please contact the Managing Director who will also act as the contact point for any subject access requests.

Further advice and information is available from the Information Commissioner's Office, www.ico.gov.uk or telephone 0303 123 1113

Date adopted: 1st May 2018

Next review: May 2020

Appendix I

Via Vita Health Ltd

Procedures for responding to subject access requests made under the Data Protection Act 1998

Rights of access to information

There are two distinct rights of access to information held by Via Vita Health Ltd about individuals.

1. Under the Data Protection Act 1998 any individual has the right to make a request to access the personal information held about them.

2. The right of those entitled to have access to any health data and records.

These procedures relate to subject access requests made under the Data Protection Act 1998.

Actioning a subject access request

1. Requests for information must be made in writing; which includes email, and be addressed to the Managing Director. If the initial request does not clearly identify the information required, then further enquiries will be made.

2. The identity of the requestor must be established before the disclosure of any information, and checks should also be carried out. Evidence of identity can be established by requesting production of:

- passport
- driving licence
- utility bills with the current address
- birth/marriage certificate
- P45/P60
- credit card or mortgage statement

This list is not exhaustive.

3. Any individual has the right of access to information held about them.

4. The response time for subject access requests for individuals once officially received, is 28 days. However, the 28 days will not commence until after receipt of clarification of information sought.

5. The Data Protection Act 1998 allows exemptions as to the provision of some information; therefore all information will be reviewed prior to disclosure.

6. Third party information is that which has been provided by another, such as the Police, Local Authority, Health Care professional, school or client. Before disclosing third party information consent should normally be obtained. There is still a need to adhere to the 28-day statutory timescale.

7. If there are concerns over the disclosure of information then additional advice should be sought.

8. Where redaction (information blacked out/removed) has taken place then a full copy of the information provided should be retained in order to establish, if a complaint is made, what was redacted and why.

9. Information disclosed should be clear, thus any codes or technical terms will need to be clarified and explained. If information contained within the disclosure is difficult to read or illegible, then it should be retyped.

10. Information can be provided at Via Vita Health Ltd with a member of staff on hand to help and explain matters if requested, or provided at face to face handover. The views of the applicant should be taken into account when considering the method of delivery. If postal systems have to be used then registered/recorded mail must be used.

Complaints

Complaints about the above procedures should be made to the Managing Director, who will decide whether it is appropriate for the complaint to be dealt with, in accordance with the company's Complaints Policy.

Contacts

If you have any queries or concerns regarding these policies/procedures then please contact the Managing Director.

Further advice and information can be obtained from the Information Commissioner's Office, www.ico.gov.uk or telephone 0303 123 1113.

Privacy Notice (How we use information)

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact:

If you would like to discuss anything in this privacy notice, please contact:

- Caroline Sidell, Managing Director, Via Vita Health Ltd, caroline@viavitahealth.co.uk

Review.

This agreement will be reviewed annually by the Managing Director and reissued each May, at the remove to reflect any changes in legislation or practice.