



Data Protection Policy

Introduction

The Data Protection Act 1998 (DPA) applies to all personal data which are held either electronically or in a manual filing system.

The TMSA holds personal information about individuals such as employees, members and others, defined as *data subjects* in the Act.

The TMSA is committed to a policy of protecting the rights and freedoms of individuals with respect to the processing of their personal data.

Principles

Data users must comply with the Data Protection principles of good practice which underpin the Act these state that personal data shall:

1. Be obtained and processed fairly and lawfully (that the subject of the data has consented to its collection and use.)
2. Be held only for specified purposes.
3. Be adequate, relevant but not excessive.
4. Be accurate and kept up to date.
5. Be held for no longer than necessary.
6. Be accessible to data subjects.
7. Be subject to the appropriate security measures.
8. Not be transferred to a country or a 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.

The TMSA and all staff/volunteers who process personal data must ensure that they abide by these principles at all times.

'Processing' includes obtaining, recording, holding or storing information and carrying out any operations on the data, including adaptation, alteration, use, disclosure, transfer, erasure, and destruction.

The DPA defines both *personal data* and *sensitive personal data*.

Personal data has a broad ranging definition and can include not only items such as home and work address, age, telephone number and schools attended but also photographs and other images.

Sensitive personal data consists of racial/ethnic origin, political opinion, religious or similar beliefs, trade union membership, physical or mental health or condition, sexual life and criminal record.

Purposes for which Data is Held

Personal data relating to employees is collected primarily for the purposes of:

- Recruitment and training
- Administration and payment of wages
- Disciplinary purposes arising from an employee's conduct
- Compliance with policy and/or legislation with regard to health and safety or other employment legislation

Personal data relating to members is collected primarily for the purposes of:

- Administration and collection of membership dues
- Dissemination of relevant information to members – Event Calendar, Newsletter, Membership benefits etc.
- Demographic monitoring (all data must be anonymised)

Accuracy of Employee Personal Data

In order to ensure the Board's files are accurate and up to date, and so that the Board is able to contact the employee, or another designated person in case of an emergency, employees must notify the Board as soon as possible following any change in their personal details (e.g. change of name, address, telephone number, marital status; loss of driving licence where relevant, next of kin details etc).

Standard printouts of personal records will be issued to all employees on an annual basis for the purposes of ensuring the data is up to date and accurate. Employees will be entitled to amend any incorrect details and these corrections will be made to all files held on the Board's information systems. In some cases, documentary evidence, i.e. qualification certificates will be requested prior to changes being made.

Once completed, the above forms will be stored in the employee's personnel file.

Accuracy of Membership Data

Members are requested to inform the National Office as soon as possible following any change in their personal details (e.g. change of name, address, telephone number, etc).

A note to this effect will be included in the quarterly mailing of the Newsletter.

Access to Data

The Act gives data subjects a right to access to personal data held about them by the TMSA. The TMSA will facilitate access to their personal data by individuals without them having to make formal subject access requests under the Act, whilst acting within the Data Protection Principles. A record will be kept of all requests for access to personal data. The TMSA will comply with requests for access as quickly as possible. Under the Act, all formal subject access requests must be responded to within forty days of the request.

Data Security

All staff and volunteers are responsible for ensuring that:

- Any personal data they hold, whether in electronic or paper format, is kept securely.
- Personal information is not disclosed deliberately or accidentally either orally or in writing to any unauthorised third party.

Disclosure of Personal Data

Personal Data may only be disclosed outside authorised personnel in the following circumstances: with the individual's written consent, where disclosure is required by law or where there is immediate danger to the individual's health.

Review of Data

The Board will review the nature of all personal information being collected and held, on an annual basis, to ensure there is a sound business reason requiring the information to be retained.