

Data Protection Act



Intersurgical, as a manufacturing company, is exempt from registering with the Office of the Data Protection Commissioner. However, the company is still under a legal obligation to comply with the eight principles of the Data Protection Act which are as follows:-

- Data should be fairly and lawfully processed
- Data should be obtained for lawful purposes
- Data should be relevant and not excessive to purpose
- Data should be accurate and kept up to date
- Data should not be held for longer than is necessary
- Data subjects' rights of access should be respected
- Data should be secure from unauthorised or unlawful use
- Data should not be transferred outside the EEA

Provided these rules are adhered to all legal requirements will be met

There are some issues arising from the Act which will affect us and it is important to remember these when processing data of any kind.

Data refers to any information on a living person being used, recorded, filed, or archived that would identify that person. This data can be information stored in a card file, on a PC, on a mobile phone or a Palm Top

The Data Controller is the person who decides the purpose and the method for keeping the data.

The Data Processor is the person who acts on behalf of the Controller to process the information.

Individuals are culpable. Not only the company as a whole but named persons with the power of data control. If the Data Controller were found to be guilty of infringing any of the eight data principles then that person can be personally sued, fined or imprisoned.

Every citizen in the UK is allowed to request, in writing, any information held on them by the company and the company is obliged to provide that information either free of charge or for a maximum £10 fee. This information must be provided in a hard copy within 40 days of a request being made. Individuals can request information to be removed from company databases if not relevant to their employment, ie religion, political affiliation etc and the company must comply with this type of request.

Staff must be vigilant about writing only factual information about customers and staff. Personal comments should not be included in file notes or on the Contact Management System as these could be considered defamatory.

It is believed that 25% of a database is out of date within the first year so information needs to be regularly updated ensuring that the customer, personnel, client etc is happy to have their details recorded on a database. When customers are sent mail shots/cards then the card should have a tick box indicating that the information they provide will be placed on our database for our reference only and will not be sent to a third party. Customers will have the choice of whether this is acceptable and should be given options to tick for permissions for information to be stored and also whether or not they are happy to be approached in this way.

In the case of new customers or staff it is advisable to inform them that their details will be held on file for use by the company but will not be distributed to a third party. Legally a client cannot prevent the company holding their information for reference purposes but can prevent the information being passed on.

Application forms and contracts should also have a statement saying that information will be kept for a period of time. When staff leave we are legally obliged to keep data such as tax details, SSP, Nat Insurance numbers, and names, addresses, DOB for possible references but not necessarily appraisals or file notes.



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The manufacturer Intersurgical Ltd is certified to ISO 9001:2015, ISO 13485:2003 and ISO 14001:2015

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