

**Agenda Item 22 (ii)**

**Enclosure 21**

**Health and Care Professions Council  
06 December 2018**

**Council member Communication**

**For approval**

**From Claire Amor, Secretary to Council**

Council, 6 December 2018

Council member communication

Executive summary

### **Introduction**

This paper proposes that HCPC Council members are provided with HCPC email addresses through which official communication with the HCPC will be channelled.

### **Decision**

The Council is asked to agree the proposal.

### **Background information**

The HCPC's IT policy governs the use of HCPC IT systems including email. Council members sign up to the policy on appointment. A copy of the policy is located on member's iPad policy folder.

### **Resource implications**

None

### **Financial implications**

Negligible

### **Date of paper**

20 November 2018

## **Council member communication**

It is proposed that Council members receive a HCPC email address, and that all correspondence with the HCPC takes place via this email address once issued.

### **Rationale**

The HCPC is subject to the Freedom of Information Act 2000 (FOIA), which provides a right of access to information held by public authorities. Information held by Council members in that capacity is subject to disclosure under FOIA (unless a specific exemption applies). For example, email correspondence between a Council member and a HCPC employee relating to Council or Committee business or a policy issue would be within the scope of FOIA and the HCPC needs to be able to disclose all relevant correspondence. This can only be done with certainty if it has access to all relevant correspondence.

Secondly and perhaps more importantly, the HCPC is also subject to the Data Protection Act/GDPR. Not only does this mean that it must be able to respond fully and accurately to requests from data subjects, but also that it must ensure that personal data is properly handled by everyone linked to the HCPC.

Council members do not routinely receive a large volume of personal data in that capacity, but may receive it from time to time. For example, reports about staff changes that name individuals, complaints sent directly to them by complainants or registrants, references to named individuals in correspondence which they receive as part of the papers for private meetings and so on will all be personal data for which the HCPC has control responsibilities.

Where the HCPC receives an access request from such individuals, it must be in a position to respond fully and accurately. Again, it can only do so with certainty if it has access to all relevant correspondence.

Council members have the ultimate responsibility for ensuring that the HCPC meets its statutory obligations in respect of information handling. Failure to do so can attract significant financial penalties and reputational damage to the HCPC if it was found not to have complied with an obligation under FOIA or the DPA because it was unaware of related correspondence sent to or from Council members.

### **Implementation**

An application will be placed on member's iPads to securely access the email account. In addition the email account will be accessible through internet browsers from any device.

We intend to gather iPads for installation following the February 2019 Council meeting. When the iPads are returned to members and access is confirmed, HCPC communication will switch to the HCPC email addresses rather than members personal email accounts.