

Data protection – always a topical issue

Data protection is emphasized in social and health care because customer information is confidential and the legislation provides customers with a number of rights relating to their data registration, processing and use. While the introduction of national information system services for client data can be processed throughout Finland, more attention must be paid to informing clients. At the beginning of the client relationship a customer must be informed about where his data will be used, where the data concerning him will be accessible, where data are stored, to whom and under what conditions the data will be disclosed. In addition, the customer has the right to access data stored on him and request correction of inaccurate information. The customer's consent is needed to disclose the data, and the customer may limit the disclosing of data, and is also entitled to inspect the log data.

Data protection issues, such as informing customers, have proven problematic and found to take up too much of health care professionals' time. Prior notification to the customer on data handling and use will also help customers to gain confidence in health care activities and national information systems and these customers may limit the prohibition of data transfer. In retrospect, the monitoring can be done from data access logs. Organizations have a responsibility to ensure that access rights to client and patient information systems are based on people's jobs. The monitoring of the information system access logs is optional and organizations have made monitoring and follow-up plans for the log data monitoring purposes. In organizations an individual may express doubts regarding misuse of data, while the customer may request the audit log data. In general, organizations follow up on all allegations, and if misuse is detected people are allowed their say, and sanction for misuse is contended as a crime according to the seriousness of the offence. The log monitoring can also take advantage of automation, as shown by one article in this issue.

According to the research, health care personnel are in general well informed on and competent with data protection and data security. However, there is still a

degree of uncertainty, for example, in disclosure practices. In organizations health care professionals still need training for data protection and data security, likewise uniform guidelines and better information on these. The new own control plan is also intended to ensure that the personnel are proficient in the use of information systems and are able to take into account client and patient data confidentiality and data security-related requirements. In addition, the organization's own control plan must take into account the information system's environment of use, maintenance, and updating issues. According to the national strategy, more data protection and data security training will be added in different levels of education of health care professionals.

In social and health care organizations a data protection officer was appointed several years ago. Such data protection officers monitor and control the processing of personal data in organizations and support the personnel in data handling security issues. In other sectors the European Union's new privacy setting may be required for the establishment of a data protection officer for all public entities and companies. The data protection officers' experiences concerning their work have been studied in social and health care organizations. The aim of the study was to increase awareness of the work of data protection officers and make it more visible. According to the study data protection officers were acting in four roles: as experts, educators, supervisors and contact persons. According to the results data protection officers mainly felt strong and respected in their positions, although there were three factors undermining the position, namely insufficient education, lack of functional resources and undefined duties. There is a need to develop the work and education of data protection privacy officers.

Data protection issues are being addressed and many things have improved over the years. However, personnel must be continuously kept informed on data protection issues.

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