**Hope Psychology Service’s Privacy Policy (Vs: January 2023)**

You may be aware of new laws relating to General Data Protection Regulation (GDPR) that are in effect from 25 May 2018. The purpose of GDPR is to provide a set of standardised data protection laws across all EU member countries. This document sets out how I and Hope Psychology Service comply with these laws.

**Accountability Statement.**

The Accountability Principle as detailed in the GDPR Article 5(2) means I must be able to demonstrate that I am responsible for the principles of data protection law. To ensure this is the case;

I regularly review my data protection policies and procedures. This helps me to ensure I continue to comply with the law and my intended processing is both clearly explained, necessary and transparent. Where I rely on Explicit Consent, I ensure it is gathered in accordance with the law. When I rely on other conditions, I consider the rights of others before I proceed.

I assess the risks I may, from time to time, create when processing data to ensure I uphold the Rights and Freedoms of every individual. This is especially true when I process data in a new way.

I keep records of my processing. For example, Activity and Incident logs measure my compliance and help me to identify any weaknesses in my procedures. I attend trainings and consult guidance of the Information Commissioner’s Office (ICO) and the European Data Protection Board (EDPB)

To ensure I protect personal data I constantly review my security measures, both technical and physical and have instigated appropriate safeguards.

I, Dr Elena Morris, am the ’Accountable person’ for processing activities.’ I am registered with the ICO as a data controller and have a clear data breach reporting procedure.

The following sections should answer any questions you have but if not, please let me know.

It is likely that I will need to update this Privacy Notice from time to time, and you are welcome to come back and check this at any time or contact me by any of the means shown below.

If you would like to discuss any aspect of this policy or the way I process your information, please contact me by email at drelenamorris@protonmail.com

**Processing of your data**

Throughthe process of contracting with Hope Psychology Service, from enquiry to discharge and invoicing, you share information about yourself, which I use in my work with you. GDPR considers two categories of information (or data) as requiring particular protection - **personal** and potentially identifying information, and more **sensitive information** (deemed ‘special category’) such that it can only be collected and processed on specific legal bases. In this privacy policy, I will describe the data I collect, how it is collected, and the legal bases I draw on to justify the collection and processing of this data.

**What personal data I process**

Hope Psychology Service may process the following personal data from you:

* **Personal information**: name or given name, family name or surname, address, telephone numbers, data of birth, relationships, occupation, email addresses, GP contact details, emergency contact details, educational history etc
* **Sensitive information**: physical and mental health current and history;, financial information, background history, family history of physical and mental health difficulties, and where relevant to your concerns, political, religious or philosophical views, criminal offences or convictions and so on.
* **Administrative information**: including contact information as above; appointment times, dates and locations

**How is this data collected:**

* Website or therapist directory contact forms
* Email, telephone, in-person communications between us
* Forms that I send to you to complete (consent, intake information, questionnaires)
* Consultations – assessment and therapy appointments
* Referral information from other services – private medical insurers; case managers; referral services

**How I use your data**

* To respond to your enquiry
* To register you as a new client on my practice management software applications
* To provide psychological assessment and therapy service to you (including storing information, writing therapy progress notes, provision of summary reports where indicated; clinical supervision, where required for legal or statutory obligations, including safeguarding)
* To manage our relationship (including arrangements of appointments, billing)
* All web services used by Hope Psychology Service are verified by themselves as GDPR compliant.

**The lawful bases for processing personal data**

* **Consent (Article 6), to the provision of health treatment (Article 9 (i)** In most situations, I collect and process both your personal and sensitive data with your explicit **consent** – I will ask you to sign your consent to the business terms and this privacy policy which outlines what data I collect and use and you will have control over what you share with me.

If ever you have shared information that you do not want processed please let me know. The information will not be processed further if it does not compromise other lawful bases (contractual or legal for example).
* **Contractual obligations (Article 6):** Further lawful bases for the collection of the personal and special category data is the performance of a **contract** between us to work. As therapy invariably involves working around the more sensitive areas in an individual’s life, it is likely that it will not be possible to offer a service to you if you feel unable to provide consent for the processing of this special category data.

The contract is also the lawful bases for collecting and processing financial data or private medical insurance data to enable me to process payments for the service provision.

In order for me to be able to contract with you to provide a safe and effective service, and as a condition of my registration, I have regular supervision with another psychologist of equal or greater experience and/or expertise to myself. I do not share identifying information. My supervisors are bound by the same duty to confidentiality. This is necessary for me to be able to contract with you ethically and legally.

If a third party is involved – private medical insurer or referral agency, I will have a contract with them which may involve sharing appointment schedules and attendance, and summary reports of treatment. Where the latter is required, I will always show to the content of such letters before sending them.

* **Legitimate Interests (Article 6):** I draw on this legal basis for processing your data in ways which might reasonably be expected as a Clinical Psychologist, to organise and run my business e.g. in the use of technology to facilitate processes of collecting, storing, managing appointments effectively and billing. When I process data in this way, I will make sure there isn’t a chance of any impact upon your rights, freedom or interests.
* **Legal basis (Article 6)**: This is the lawful basis I would draw on if your personal information were to be requested by the Police, a Court of Law, Coroners Office or Professional Body in which circumstances I would have no option but to comply with the law.
* **Vital interests** **(Article 6**): I may also use your data, typically in an emergency, where this was necessary to protect your life, or someone else’s life. In a small number of cases where other lawful bases do not apply, I will process your data on this basis and in your best interest. For example, if in my professional opinion I believed there was an immediate and serious risk that you might harm yourself or someone else then I may need to share your personal information with a with a third party such as your GP or emergency services. Although I would in most cases want to gain your consent before doing so, if it might lead to a delay in accessing potentially lifesaving help or if I felt it would create more risk in doing so, I would use vital interest as the lawful basis for sharing necessary information with these services.

**How long I store personal and sensitive information**

I will only keep your personal and sensitive data for as long as is necessary to fulfil the purposes for which I collected it. I may retain your data to satisfy any legal, accounting, or reporting requirements so for example I need to keep certain information about you for 6 years after you cease to be a client for tax purposes.

Mental health records are subject to special legislation e.g. adult records are kept for 7 years after the last contact with the service. This benchmark will be applied to all clinical records made in the process of engagement with therapy with me.

**Who I share your personal and sensitive information with**

I hold information about each of my clients and the therapy they receive in confidence. This means that I will not normally share your personal information with anyone else. However, there are exceptions to this when there may be need for liaison with other parties:

* If you are referred by your health insurance provider, or otherwise claiming through a health insurance policy to fund therapy, then I will share appointment schedules with that organisation for the purposes of billing. I will also share information with that organisation to provide treatment updates where requested or routinely required.
* In cases where treatment has been instructed by another third party, relevant clinical information from therapy records (attendance, summary reports where requested, discussions with other professionals involved in your care) will be shared as required and with your documented consent.
* Service providers (data processors) who provide IT and system administration support including software providers for accounting, marketing and practice management solutions. I require all of these third parties to whom we transfer your data to respect the security of your personal data and to treat it in accordance with the law. They are only allowed to process your personal data on my instructions.

In exceptional circumstances, I might need to share personal information with relevant authorities without your consent:

* When there is need-to-know information for another health provider, such as your GP.
* When disclosure is in the public interest, to prevent a miscarriage of justice or where there is a legal duty, for example a Court Order, or concerns regarding terrorism.
* When the information concerns risk of harm to the client, or risk of harm to another adult or a child. I will discuss such a proposed disclosure with you unless I believe that to do so could increase the level of risk to you or to someone else.

The lawful bases for processing your information in each of these ways has been detailed above.

**How I ensure the security of personal and sensitive information**

Any sharing of sensitive personal data will be sent to third parties (usually with your consent) in an email attachment that is password protected or via a secure cloud based data sharing software. Email applications use private (SSL) settings, which encrypts email traffic so that it cannot be read at any point between our computing devices and our mail server. I will never use open or unsecure Wi-Fi networks to send any personal data.

Personal and sensitive information is stored locally on electronic password protected tablets, or on within secure cloud storage solutions offering high levels of security protecting against unauthorised access, amendment or loss of the data. All devices used to access the storage have malware and antivirus protection installed. Mobile devices are protected with a passcode and/or thumbprint scanner. All programmes used to collect, store or use your data that I use store their data for UK clients in the UK or EU, and as such are bound by the same GDPR regulations.

Personal information collected on paper will be stored in a locked cabinet.

**Your right to access or make certain modifications to the personal information I hold about you**

You have the right to retain control over your personal data. Control means the right to request access to personal information held, and to request correction, modification or erasure of information held or communicated For more details see <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

* You have the right to ask me to forget you from my records.
* I will uphold this right unless there is a legal obligation such as a contractual agreement or it is in my legitimate interest to keep your data. Please refer to the section on data retention for more information.
* To make a request a copy of the information I hold on you, please email me at drelenamorris@protonmail.com
* I will make all efforts to provide this information within 30 days of receiving your request.
* A copy of your personal information will usually be sent to you in a permanent form (that is, a printed copy or electronic pdf copy).
* You have a right to get your personal information corrected if it is inaccurate.
* I am committed to protecting your personal data but if for some reason you are not happy with any aspect of how I collect and use your data, you have the right to complain to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk/concerns](http://www.ico.org.uk/concerns)).
* I would be grateful if you would contact me first if you do have a complaint so that I can try to resolve it for you.

**I confirm that I have read, understood and consent to the information in this privacy policy:**

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**Client’s name (please print) Signature Date**

NB: If we are working online, and so you are unable to hand the signed form to me, please confirm your agreement and consent in one of the following ways:

* If you received an intake form by email, this will have sections to electronically indicate your consent.
* Print, sign, scan and return the form via email
* Print sign, take a photo clearly showing the signature and send the photo via email
* Email to confirm that you consent that you have read, understood and agreed to this

**privacy policy**