

## **Bristol Psychology Services Data Protection and Privacy Policy:**

### **1. Introduction**

1.1 We are committed to safeguarding the privacy of our clients.

1.2 This policy applies where we are acting as a data controller with respect to the personal data of our clients; in other words, where we determine the purposes and means of the processing of that personal data.

1.3 In this policy, "we", "us" and "our" refer to Bristol Psychology Services, the trading name for the referral service provided by Dr Victoria Samuel (data controller) and "you", "your" and "clients" to refer to individuals using the service.

1.4 This policy outlines how we will process "Personal data". Personal data is defined in Article 4(1) of the General Data Protection Register as follows:

"(1) 'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person".

### **3. How we use your personal data**

#### **Section 3.1**

3.1 In this Section 3 we have set out:

- (a) the general categories of personal data that we may process;
- (b) in the case of personal data that we did not obtain directly from you, the source and specific categories of that data;
- (c) the purposes for which we may process personal data; and
- (d) the legal bases of the processing.

#### *How & Why do you Process My Data?*

3.2 We may process your personal data when provided in the course of the use of our referral services. This data may include your personal details such as name and address as well as the information you provide us regarding the nature of the difficulty for which you are seeking psychological assessment and / or therapy. The service data may be processed for the purposes of providing our referral services, ensuring the security of our website and services and issuing invoices and communicating with you. The legal basis for this processing is to carry out our legitimate interests, that is providing referrals for clients for private psychological assessment and therapy.

3.3 Some of the data we process about clients falls under special category data as it relates to clients' health. The collection of this special category data is necessary for the provision of clients' mental health treatment and management of our mental health systems and services.

3.4 When you submit an enquiry via the online enquiry form, we process the information contained in the enquiry to enable us to i) answer any queries and provide further information regarding the referral processes, and ii) where we are not able to carry out referral services, to inform you of this and where possible, to suggest other suitable services. Our web enquiry form is secure (https).

3.5 You will be asked to complete a referral form via the Bristol Psychology Services secure website. The data you provide on the referral form will be sent via an encrypted SSL connection to a secure referral database portal where it will be stored and encrypted using open SSL AES-256-CBC. Data will be accessible only by the data controller and data processors and protected by a hardware firewall.

3.6 By completing and returning the referral form you are consenting to us processing your data for the purposes of the service we provide i.e. providing a central point of contact, from which can allocate your referral to independent therapists working in private practice.

3.7 Once you have the completed referral form, the form will be reviewed by the service lead and Bristol Psychology Services administrators. We may contact you to request supplementary or missing data. Affiliates will be assigned appropriate referrals via the referral portal using secure sign in. Affiliates may also view referrals allocated to the waiting list via the secure portal. Affiliates must log into the secure portal using a unique password and two factor authentication.

3.8 Supplementary correspondence relating to your referral (eg GP letters) will be stored separately and Affiliates will be provided with a unique link to these details which will be stored on G Suite and Google Cloud Platform. See 3.12

3.9 To provide our services we may pass on information about clients to partnership services eg GPs, solicitors, schools.

3.10 There may be certain additional situations where we would pass on clients' data, if necessary, without the client's consent:

- Protection of the vital interests of a data subject: we would share data if we were worried about a client's safety / there are safeguarding concerns. In such instances we have a professional obligation to protect vulnerable children and adults.
- Legal obligations: for example if required to do so by law enforcement officers.

#### *Where do We Store Data and Is it Secure?*

3.11 We store your data on our secure referral database portal where it is encrypted using open SSL AES-256-CBC. Data will be accessible only by the data controller and data processors and protected by a hardware firewall.

3.12 We process and store some supplementary data (e.g. letters from GPs) using G Suite and Google Cloud Platform.

Google operates global infrastructure designed to provide state-of-the-art security through the entire information processing lifecycle. This infrastructure is built to provide secure deployment of services, secure storage of data with end-user privacy safeguards, secure communications between services, secure and private communication with customers over the Internet, and safe operation by administrators. G Suite and Google Cloud Platform run on this infrastructure.

G Suite and Google Cloud Platform updated their data processing terms to reflect the General Data Protection Regulation. Bristol Psychology Services has opted into the updated data processing terms via the opt in G Suite Data Processing Amendment and the GCP Data Processing and Security Terms. More information is available here: <https://cloud.google.com/security/gdpr/>

3.13 Computers used for the purposes of processing data are password protected.

3.14 Mobile telephones used for processing service data are encrypted.

#### *How do we Process Correspondence from Clients?*

3.15 We may process information contained in emails, the website contact form / the referral form or relating to any communication that you send to us ("**correspondence data**"). The correspondence data may include personal details such as name and address and personal information relating to the psychological concern for which you are contacting us. Our website will generate the metadata associated with communications made using the website contact forms.

The correspondence data may be processed for the purposes of communicating with you, providing psychological services and for record-keeping. The legal basis for this processing is to enable us to fulfil our legitimate interests, namely making referrals for psychological assessment and / or therapy to the network of affiliated therapists and for all associated proper administration for our business and to carry out obligations under the contract.

3.16 Some of the data we process about clients falls under special category data as it relates to clients' health. The collection of this special category data is necessary for the provision of clients' mental health treatment and management of our mental health systems and services.

3.17 We may process any of your personal data identified in this policy where necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, your legal rights and the legal rights of others.

3.18 In addition to the specific purposes for which we may process your personal data set out in this Section 3, we may also process any of your personal data where such processing is necessary for compliance

with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

3.19 Please do not supply any other person's personal data to us, unless we prompt you to do so.

#### 4. Providing your Personal Data to Others

4.1 As part of the provision of psychological services, we may share information with third parties. This can include a **range of professionals** such as: healthcare professionals, relevant educational establishments; rehabilitation agencies handling referrals for psychological therapy; solicitors and other organisations involved with the safeguarding of clients' vital interests.

4.2 We may also share information with **remote administrative assistants**, in order to carry out our legitimate interests; that is carrying out the necessary administrative functions of the service. A data processing contract is always in with any such remote administrative assistants and Bristol Psychology Services setting out their obligations, responsibilities and liabilities.

4.3 We may disclose information in the referral form to the **affiliated therapists** listed on our website for the purposes of an appropriate affiliated therapist contacting you and working with you as a therapist and on the legal bases, set out in this policy. Each such third party will act as a data processor in relation to the data that we supply to it; and upon contacting you, each such third party will supply to you a copy of its own privacy policy, which will govern that third party's use of your personal data.

A data processor contract is in place between all affiliated therapists and Bristol Psychology Services setting out their obligations, responsibilities and liabilities.

4.4 Financial transactions relating to our services are processed using the accounting and software programme, **Clearbooks** for the purposes of accounting, that is issuing invoices, reminders and receipts. Details recorded on Clearbooks are: clients' names, contact details, the psychological service received / to be received, the appointment date, fees and insurer details if relevant.

The legal basis for this processing is carrying out our legitimate interests to arrange psychological referrals as requested by the client and to arrange payment for such services. Clearbooks uses 256bit SSL data encryption of all data going between Us and Clear Books, and when Clear Books backs up Our data. Further information is available here: <https://www.clearbooks.co.uk/terms/security/>

Clear Books employees will occasionally be required to access client data for legitimate business purposes, such as to assist Bristol Psychology Services with a support query or to investigate or resolve an issue raised by Bristol Psychology Services.

4.5 Through access to our online accounting programme, Clearbooks, our **accountants Godfrey Wilson** <http://www.godfreywilson.co.uk/> may view clients' names and fees, for the purposes of filing our tax returns but only insofar as reasonably necessary for this specific purpose.

4.6 Our IT systems are maintained by **CCCit**, an **IT managed services company based in Bristol**. CCCit adhere to the ISO/IEC 27000 series of security standards framework indicative of industry best practices in the realm of information security. To address IT difficulties, CCCit may occasionally remotely access workstations as and when this is necessary to enable us to provide continuation of referral services, however access to Bristol Psychology Services computers is on a request only basis.

4.7 The secure referral form, website and referral management database is maintained by **DocandTee** an **IT agency based in Bristol**, who are registered with the Information Commissioners Office (reference number ZA306932). Staff at DocandTee may access the database where this is required to maintain or develop the portal or to resolve any technological difficulties. Access is only insofar as reasonably necessary for this specific purpose. To test IT processes within the database, dummy referrals are nearly always used rather than actual client referrals. The legal basis for this processing is carrying out our legitimate interests of processing psychological referrals as requested by the client.

4.8 In addition to the specific disclosures of personal data set out in this Section 4, we may disclose your personal data where such disclosure is necessary for compliance with a **legal obligation** to which we are subject, or in order to protect your vital interests or the vital interests of another natural person. We may also disclose your personal data where such disclosure is necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

4.9 If personal data we receive includes information which raises serious concerns about your safety or the safety of other people, or references illegal activity, we may be obligated to notify partnership agencies e.g. social services, the police or your GP.

## 5. International transfers of your personal data

### Section 5: International transfers of your personal data

5.1 We are based in Bristol UK. Doc&Tee use IoMart hosting facilities for our website and referral services platform. IoMart are situated in UK. Their infrastructure is fully compliant with the requirements for ISO20000, 27001 and 9001 standards.

5.2 We do not transfer information to countries outside the European Economic Area (EEA).

## 6. Retaining and deleting personal data

6.1 This Section 6 sets out our data retention policies and procedure, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.

6.2 Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

6.3 We will retain your personal data as follows:

### 6.3.1 Potential Client Data

A potential client is a client who makes an enquiry to Bristol Psychology Services regarding psychological services, but for whom:

- a) a referral is not made to an affiliate therapist;
- b) a referral is made to an affiliate, but the client does not go ahead and book an appointment.

#### 6.3.1.1 *Emails*

We retain all emails from potential clients for 4 years. We keep emails for this long because it is not uncommon for clients who have made enquiries, but who did not pursue assessment / therapy after initially contact, to re-approach us and actively engage in therapy several years after an initial enquiry. Keeping clients' emails allows us to check back re previous correspondence for a more efficient provision of services. In addition, should a complaint arise, complete records would allow us to liaise more efficiently with professional bodies.

#### 6.3.1.2 *Notes from Telephone Conversations*

Notes from potential clients are deleted after the telephone conversation if the telephone conversation involves redirecting the client to the website referral form or contact form or the client is requested to email us.

If a potential client has completed a referral form and is contacted by telephone, we retain any relevant notes from the telephone conversation on the referral form on the referral management database and the form is retained for 3 years, after which time the form is deleted.

Relevant notes from telephone conversations received prior to May 2019, are stored using G Suite and Google Cloud Platform and deleted after 3 years. (see 4.7).

#### 6.3.1.3 *Referral Forms*

We retain any completed / partially completed referral forms from potential clients for a period of 3 years.

Referral Forms received prior to May 2019, is stored using G Suite and Google Cloud Platform. From May 2019, all referral forms are received and retained on the referral management database (see 4.7).

We keep referrals for 3 years so that if clients get back in touch, and wishes to initiate a referral, we have a record of their previous concerns and can make clinical judgements about their assessment and therapeutic needs based on any past information and changes to their situation. Keeping the records also avoids a client re-contacting us within a short period of time from having to re-complete the referral form.

#### 6.3.1.4 *Correspondence by Paper*

We do not process referral forms by paper however if the client, or their GP or other professional,

sends us correspondence by post, we scan the hard copy and this is retained on G Suite and Google Cloud platform for 3 years. We cross-cut shred the original.

### **6.3.2 Actual Client Data**

An actual client is a client for whom a referral was made to an affiliate of Bristol Psychology Services and at least one session was carried out with the client by the affiliate.

#### **6.3.2.1 Emails**

We retain all emails from actual clients for 4 years.

Keeping clients' emails allows us to check back re previous correspondence for a more efficient provision of services. In addition, should a complaint arise, complete records would allow us to liaise more efficiently with professional bodies.

Relevant email correspondence is sometimes copied into the client's referral form. We do this so that information that we have shared with client (e.g. regarding likely wait time), or information that the client has shared with us (e.g. additional details regarding their therapy requirements) can be paired with the information within the referral to help inform our referral processing decisions.

Relevant attachments from emails, (e.g. correspondence from professionals regarding clients for whom we have received referrals), are saved and stored on G Suite and Google Cloud Platform. A secure link to this electronic documentation may be included within the referral form to allow the affiliate to whom the referral is assigned to view this documentation. The documentation may be retained up until the referral is deleted (see 6.3.1.3 and 6.3.2.3).

#### **6.3.2.2 Financial Data**

We store financial data for 7 years consistent with HMRC obligations. Some data processed via Clearbooks may be stored for longer due to the functionality of Clearbooks which is being reviewed.

#### **6.3.2.3 Referral Forms**

We retain all referral forms completed by actual clients for 5 years.

Referral forms received prior to May 2019 are stored using G Suite and Google Cloud Platform. Referral forms received since May 2019 are stored on the secure referral management database (see 4.7).

We keep referrals for this long so that if clients get back in touch, and wish to initiate a referral, we have a record of their previous concerns and can make clinical judgements about their assessment and therapeutic needs based on any past information and changes to their situation. Keeping the records also avoids a client re-contacting us within a short period of time from having to re-complete the referral form.

#### **6.3.2.4 Correspondence by Paper**

We do not process referrals by paper however if a GP or other professional sends us paper documentation regarding a client for whom we receive a referral, we scan the hard copy and store this on G suite and Google Cloud Platform for 5 years. The original hard copy is destroyed using a cross-cut shredder.

#### **6.3.2.5 Notes from Telephone Conversations**

Notes from actual clients are added to the client's referral form on the referral management database and the form is retained for 5 years. We add notes from telephone conversations to the referral form as they may contain information of clinical relevance (e.g. additional detail regarding the psychological difficulty or changes to the psychological difficulty). Notes from telephone conversations may also need to be recorded due to logistical relevance (e.g. specifics regarding appointment availability). Clinically and logistically relevant details must be recorded as they inform decisions regarding to which affiliate we assign the referral, and may also be of relevance to the affiliate receiving the referral.

Relevant notes from telephone conversations regarding actual clients received prior to May 2019, were added to the word document version of the referral form and are stored using G Suite and Google Cloud Platform and deleted after 5 years.

6.4 In some cases it is not possible for us to specify in advance the periods for which your personal data will be retained. In such cases, we will determine the period of retention based on professional, financial and safeguarding obligations, balanced against retaining data for the minimal period required.

6.5 Notwithstanding the other provisions of this Section 6, we may retain your personal data where such retention is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

## **7. Amendments**

7.1 We may update this policy from time to time by publishing a new version on our website.

7.2 You should check this page occasionally to ensure you are happy with any changes to this policy.

## **8. Your Rights**

8.1 In this Section 8, we have summarised the rights that you have under data protection law. Some of the rights are complex, and not all of the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.



8.2 Your principal rights under data protection law are:

- (a) the right to access;
- (b) the right to rectification;
- (c) the right to erasure;
- (d) the right to restrict processing;
- (e) the right to object to processing;
- (f) the right to data portability;
- (g) the right to complain to a supervisory authority; and
- (h) the right to withdraw consent.

#### *Subject Access Requests*

8.3 You have the right to know what information we hold about you, and how we process this information and who it is shared with. We inform you of this information via this privacy notice. Providing the rights and freedoms of others are not affected, we will supply to you a copy of your personal data if requested. The first copy will be provided free of charge, but additional copies may be subject to a reasonable fee. We may ask for proof of your identity before releasing information to protect clients' confidentiality.

#### *The Right to Rectification*

8.4 You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed.

#### *The Right to Erasure*

8.5 The data we collect about clients falls under the 'special category' of personal data as healthcare records. This means there may not be an automatic right to erasure. When a request is made to delete information you have provided us, we will balance your 'vital interest' against your 'right to erasure'. We may seek professional advice to inform this decision. If we have a legitimate reason for keeping the data you hold, then we may decline the request to delete the data and we will inform you and explain the grounds for declining this. At this point, you can appeal to the ICO (Information Commissioner's Office), who can adjudicate on whether we are in breach of the regulations.

#### *The Right to Restrict Processing*

8.6 In some circumstances you have the right to block or restrict the processing of your personal data. If you inform us of a concern relating to your data records that requires us to restrict processing, we will investigate your concerns. It may not be possible to restrict processing due to health professional regulations

regarding keeping records. If you are unhappy with our decision you may wish to register a complaint to the Information Commissioner.

#### *The Right to Object to Processing*

8.7 The right to object to processing is your right to object to us processing your data because of your particular situation. Due to health professional regulations regarding keeping records, we may not be able to stop processing your data. If you are unhappy with our decision you may wish to register a complaint to the Information Commissioner.

#### *The Right to Data Portability*

8.10 The right to data portability is your right to obtain and reuse personal data you have provided to us for your own purposes, and the right to ask us to transmit your personal data directly to another controller. We will comply with such requests providing this would not adversely affect the rights and freedoms of others or if the request is manifestly unfounded or excessive. We may request to see confirmation of your identity to ensure confidentiality is maintained. If we are unable to comply with a request, we will let you know the reasons why we are not taking action, and you can complain to the ICO or another supervisory authority and seek judicial remedy.

#### *The Right to Complain to a Supervisory Authority*

8.11 If you consider that our processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. In the UK this would be the Information Commissioners Office (ICO). You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.

## **9. About cookies**

9.1 A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server.

9.2 Cookies may be either "persistent" cookies or "session" cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.

9.3 Cookies do not typically contain any information that personally identifies a user, but personal information that we store about you may be linked to the information stored in and obtained from cookies.

### **Our use of cookies**

9.4 For control of our business, our website logs IP addresses, which is the automatic number assigned to your computer when you surf the web. The IP address allows us to anonymously track visitors' usage on

our website using Google Analytics. Your IP address is not connected to any personally identifiable or on-line contact information like a name and address, so you remain anonymous at all times.

#### 9.5 Cookies set by our website are:

**Cookie notice:** Stores a response to the cookie notice

**Google Analytics:** See here for more

info: <https://developers.google.com/analytics/devguides/collection/analyticsjs/cookie-usage?hl=en>

#### How can I control my cookies?

##### 9.6 Browser controls

You can use your web browser (eg Internet Explorer) to:

- delete all cookies
- block all cookies
- allow all cookies
- block third-party cookies
- clear all cookies when you close the browser
- open a 'private browsing' session
- install add-ons and plug-ins to extend browser functionality

This privacy statement applies solely to information collected by this web site.

If we decide to change our privacy policy we will post any changes to this web site.

Bristol Psychology Services reserves the right to change this statement at any time.

## 11. Cookies used by our service providers

11.1 Our service providers use cookies and those cookies may be stored on your computer when you visit our website.

11.2 We use **Google Analytics** to analyse the use of our website. Google Analytics gathers information about website use by means of cookies. The information gathered relating to our website is used to create reports about the use of our website. Details of cookies set by Google Analytics can be found here:

<https://developers.google.com/analytics/devguides/collection/analyticsjs/cookie-usage>

Google's privacy policy is available at: <https://www.google.com/policies/privacy/>.

11.3 We use **Google Adwords** to direct potential customers to our website when they are searching for relevant terms on Google search sites, including the Maps app.

To determine your interests, Google will track your behaviour on our website and on other websites across the web using cookies. You can opt out of personalised ads here:

<https://support.google.com/ads/answer/2662922?hl=en-GB>

## 12. Managing cookies

12.1 Most browsers allow you to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to version. You can however obtain up-to-date information about blocking and deleting cookies via these links:

- (a) <https://support.google.com/chrome/answer/95647?hl=en> (Chrome);
- (b) <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences> (Firefox);
- (c) <http://www.opera.com/help/tutorials/security/cookies/> (Opera);
- (d) <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies> (Internet Explorer);
- (e) <https://support.apple.com/kb/PH21411> (Safari); and
- (f) <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy> (Edge).

12.2 Blocking all cookies will have a negative impact upon the usability of many websites.

12.3 If you block cookies, you may not be able to use all the features on our website.

## 13. Our details

13.1 This website is owned and operated by Victoria Samuel.

13.2 Bristol Psychology Services is the business name. The business is run by Sole Trader, Dr Victoria Samuel.

(iii) For postal enquiries, please contact Dr Samuel at Spire Bristol Hospital, Redland Hill, Bristol BS6 6UT

13.4 Otherwise you can contact us:

- (a) using our website contact form;
- (c) by telephone, on 0117 327 0201

## 14. Credit

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