

Privacy and Data Protection Policy



Overview

Butterfly Hugs (BH) aim to be as clear as possible about how and why we use information about you so that you can be confident that your privacy is protected.

This policy describes the information that we collect when you use our services. This information includes personal information as defined in the General Data Protection Regulation (GDPR) 2016 [and the subsequent UK Data Protection Bill that is expected to be enacted in 2018]. The policy describes how we manage your information when you use our services, if you contact us or when we contact you.

BH use the information we collect in accordance with all laws concerning the protection of personal data, including the Data Protection Act 1998 and the GDPR 2016. As per these laws, BH is the data controller; if another party has access to your data we will tell you if they are acting as a data controller or a data processor, who they are, what they are doing with your data and why we need to provide them with the information. If your questions are not fully answered by this policy, please contact our Data Protection Officer (Dr Yasmin Pethania, Director of Butterfly Hugs for Mums). If you are not satisfied with the answers from the Data Protection Officer, you can contact the Information Commissioner's Office (ICO) <https://ico.org.uk>.

1. Why do we need to collect your personal data?

We need to collect information about you so that we can:

- Know who you are so that we can communicate with you in a personal way. The legal basis for this is a legitimate interest.
- Deliver services to you. The legal basis for this is the contract with you.
- Process your payment for the services we provide. The legal basis for this is the contract with you.
- Verify your identity so that we can be sure we are dealing with right person. The legal basis for this is a legitimate interest.
- Send you relevant information (such as self-help resources). The legal basis for this is your consent.
- Provide you with a useful and relevant website. The legal basis for this is legitimate interest.

2. What personal information do we collect and when do we collect it?

For us to provide you with the relevant service, we need to collect the following information:

- Your name
- Your date of birth
- Your contact details including a postal address, telephone number(s) and electronic contact such as email address.
- Your GP's name and address and, where applicable, the contact details of other health professionals involved in your care. When taking a referral (and where relevant), we may also collect the following information relating to your current and past psychological difficulties and diagnoses:
 - Any current/past psychological diagnoses
 - Any current/past psychological symptoms
 - Any relevant physical health conditions
 - Your current risk of suicide/self-harm
 - Your past admissions to hospital, suicide attempts and/or self-harm.

3. How do we use the information that we collect?

We use the data we collect from you in the following ways:

- To communicate with you so that we can inform you about your appointments with us we use your name, your contact details such as your telephone number, email address or postal address.
- To create an invoice, we use your name and email address
- To write assessment letters, we use information relating to your current and past psychological difficulties and diagnoses.

4. Where do we keep the information?

We keep your information as described below:

- On our personal computers. We each use personal computers. The computers are password protected and the hard drives are encrypted. Passwords are changed every 90 days and it is our policy that passwords are not shared. We do not use Dropbox, Google Drive or any other cloud service to store your data.
- As a paper copy. During our initial assessment, we ask you to complete a paper registration form and to sign a copy of our terms and conditions. We take hand written notes during both assessment and treatment sessions, which we store in your personal file. These notes are used to create assessment and discharge letters when requested. We store your personal file in a locked filing cabinet.

5. How long do we keep the information?

The Data Protection Act (1988) states that personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes. This means that we will not store or keep personal data for longer than is necessary or required by law.

Personal data will need to be retained for longer in some cases than in others. A decision in how long personal data will be retained will be based on individual needs. A judgement will be made about:

- the current and future value of the information;
- the costs, risks and liabilities associated with retaining the information; and

- the ease or difficulty of making sure it remains accurate and up to date.

The minimum recommended period for retention of adult mental health personal data is seven years. When we destroy records, we shred paper records and any electronic files are deleted.

6. Who do we send the information to?

We send copies of your reports to you and other professionals (such as GPs or other Clinical Psychologists) at your request. We provide copies of your paper notes to solicitors if and when requested for a court case, in accordance with the law. All reports that are sent electronically are sent as attachments that are encrypted and password protected.

The information you share with BH, and the notes made during the sessions, will remain confidential, within certain boundaries. This means that your psychologist(s) will only share information with other parties if he/she becomes concerned that you, your child, or others (where relevant), are at risk of harm. Your psychologist will aim to talk to you about his/her concerns before sharing any information. If, however, your psychologist is concerned that discussing this would put you at more risk of harm (for example, of self-harm or suicide), he/she will speak to other parties without your consent. This is extremely rare and a legal obligation. For more information you can see the British Psychological Society 'Generic Professional Practice Guidelines':

http://www.bps.org.uk/sites/default/files/documents/generic_professional_practice_guidelines.pdf

7. Will we send emails and text messages to you?

As part of providing our service to you we will send letters to you via email. The report will be encrypted, and password protected. Also, as part of our service, we may need to send details of your appointments to you in between sessions. To protect your information, we prefer to use an end-to-end encrypted messaging service (such as Whatsapp). If you are not able to use

such a service we may use SMS (text messages); however, this does increase the risk of someone intercepting the message.

8. Your Rights

You have the right to:

- Ask to see, amend or update your personal details
- In certain circumstances, ask that we delete, destroy or stop processing your personal data You can make a subject access request (SAR) by contacting the Data Protection Officer. We may require additional verification that you are who you say you are to process this request. We may withhold such personal information to the extent permitted by law. In practice, this means that we may not provide information if we consider that providing the information will violate your vital interests.

9. Complaints and Contact Details

In the majority of cases, we would expect to be able to respond to any questions or comments about how we collect and use your personal data sufficiently to satisfy any concerns you may have. However, if you remain dissatisfied after speaking to us, you may:

- Make a complaint to the Information Commissioner's Office (ICO). You can contact the ICO online, (www.ico.org.uk); or by telephone (030 123 1113). You can also write to them at: ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

10. Review

This Privacy and Data Protection Policy will be subject to regular review. Copies of updated or new versions will be disseminated when applicable