

# *The Oldfield Psychology Practice*

*Dr Abigail Oldfield (BSc, MSc, DClinPsy)*

*Clinical Psychologist*

## **PRIVACY POLICY**

Thank you for taking the time to read this privacy policy. This has been written in line with the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018, which is a regulation in UK law on data protection and privacy for all individuals within the UK. The Oldfield Psychology Practice (TOPP) is GDPR compliant. For more information on data protection, GDPR and what this may mean for you in a general sense please see the many sources online, such as:

- Gov.uk

<https://www.gov.uk/data-protection>

- The Information Commissioner's Office (ICO)

<https://ico.org.uk/your-data-matters/>

All information which is collected about you (or your client) by The Oldfield Psychology Practice (TOPP) will be processed and kept in accordance with guidance from the Information Commissioner's Office and in line with the General Data Protection Regulation (GDPR). This means that it will be kept **strictly confidential**, stored in a secure and locked office, on a secure device/system and/or on a password protected database for the duration that it is held. When information is destroyed this will be done securely in order to maintain confidentiality. Please note this only applies to information held within TOPP and on systems under its control. TOPP cannot control personal or sensitive information held by third parties or the mediums through which they may transfer it; for example, referral information that is passed to TOPP and information held in reports that are sent to third parties, such as (but not exclusively) solicitors.

### **Secure Storage**

#### **Medical Records**

Most of the information collected and stored by TOPP would be considered medical records, containing both personal and sensitive information, and so will be subject to the rules relating to such records. All of this information is stored securely and confidentially; this means that all electronic information is held on secure devices or a secure cloud storage system and all paper files are kept in a locked filing cabinet in a secure office. The information collected is done so for the purposes of processing referrals, assessment, treatment and report writing, and the only people who are able

to access this are the clinician (the person managing the referral and/or completing the assessment and treatment) in addition to staff performing administration duties (such as staff preparing letters, typing, report checking, performing audits, etc.). This sort of information is held for at least 7 years from the date of discharge from TOPP, or, if the individual to whom it pertains is under the age of 18, for 7 years from the anniversary of their 18<sup>th</sup> birthday. This is the same for all medical records held in all UK organisations, and in some circumstances this time period may be longer if this is thought to be medically or legally necessary.

The kinds of data that TOPP processes and stores usually contains personal and sensitive information given to us by those making self-referrals to the practice and referring agencies (such as case management companies, solicitors, other health agencies and professionals, etc.), in addition to what individuals disclose in one to one or group sessions. This information can include name, address, date of birth, medical and mental health history, GP information, background and family information, presenting issues, past symptoms, and full medical records. This information is collected for the purposes of managing referrals, providing consultation and advice, assessing and treating consenting individuals, and writing reports and letters.

Information that is processed is not always the same as the that which is stored as part of the medical record. There is a requirement that all medical records are clear, legible, accurate, succinct and provide an adequate level of detail. Additionally, not all information collected is deemed necessary to process a referral or relevant to an assessment or treatment. Any information that is collected is reviewed at the point of referral and during the assessment and treatment stage to decide whether it needs to form part of the record. Any information where it is not necessary for TOPP to retain it is confidentially destroyed. Information may also be summarised in order to make it legible and to ensure that only necessary data is kept; for example, hand written notes are reviewed, the relevant data is identified and typed (either into a clinical note or into a report), the handwritten note may then be confidentially destroyed.

This information is usually received or delivered in a face to face meeting or a meeting over video call with the individual to whom it pertains or a professional, over the phone (call or text), by email, by post, or via the TOPP website contact page (depending on how the referrer chooses to send it). All information is treated with the utmost respect and is kept confidential, except where there is an obligation to disclose this information to a third party. This will only be done if there is a legal reason to do so, or where there is an indication or suspicion that the person to whom the information pertains or another individual has been harmed or is in danger of being harmed, which will be reported to the relevant authorities if necessary. In addition to a secure paper filing system, all electronic systems that TOPP uses, such as email, cloud storage, website contact form, phone, etc., are all secure, and data stored within them is regularly reviewed, moved into a more central record for the individual it pertains to, or confidentially destroyed if this is deemed suitable.

All individuals and agencies who make contact with TOPP are invited to review these terms and conditions (which are available via a link on every page of the website). When making contact with TOPP all individuals and agencies are assumed to have

consented (or to have appropriate consent from the individual) to these terms and conditions and to TOPP collecting and storing the information they send.

Consent is also reviewed at the first assessment or treatment session with the individual engaging in the assessment and/or treatment. Where an individual cannot give informed consent, i.e., children and individuals who lack capacity, consent is sought from an appropriate adult or professional, person with parental responsibility, or power of attorney, and considered in relation to relevant documentation and guidance, such as the Mental Capacity Act and Mental Health Act.

### **Past Clients**

If you are a past client of TOPP, please be assured that the process of storing your data has not changed and your information is still kept **strictly confidential**, stored in a secure and locked office, on a secure device and/or on a password protected database for the duration that it is held. You have the same rights as stated in this document.

### **Training, Consultation and Supervision**

Where information is processed and held in relation to enquiries or contracts to provide training, professional consultation or supervision, this information will also be held securely in the same way as medical records. All personal and sensitive information will only be collected for the purposes of providing training, professional consultation or supervision.

### **Sharing information**

Information is only shared where this is necessary, such as where a report has been requested by an individual or agency with relevant consent to share this. If information needs to be sent outside of TOPP this will be done via a secure system, such as an encrypted email system that is GDPR compliant, and all documents containing personal or sensitive information will be password protected.

Please note the Oldfield Psychology Practice cannot control what or how personal or sensitive information is sent to them, or what is held by third parties and what they do with it after they have received information from TOPP. However, TOPP would only ever send information to another individual or agency (with appropriate permission) if they had stated they were GDPR compliant. This includes information held in reports that are sent to third parties, such as (but not exclusively) solicitors.

### ***Legal exceptions***

The information disclosed during the course of psychological assessment or therapy is confidential; however, there are legal exceptions, such as if you reveal a threat of harm, or there is a threat of harm to self or to others, or if a court order is received and a legal obligation arises.

## **Right to Access**

You have the right to ask for a copy of your personal information, free of charge, in an electronic or paper format. You also have the right to ask TOPP to amend or change any incorrect information about you. If you would like to make such a request please do so in person, in writing via post or email, or by phone specifying what information you would like or what you would like changing. You will need to provide identification in order to evidence that the data is yours, or that you have the right to access it if you are a relative of the person whose data it is. Before disclosing the requested Personal Information, we may ask you for additional information in order to confirm your identity and for security purposes. This request will be completed within one month and all information will be sent securely.

## **Right to be Forgotten**

You have the right to ask TOPP to erase any information that we hold about you. This includes your personal information that is no longer relevant to original purposes, or if you wish to withdraw consent from a particular activity, such as a newsletter. In all cases and when considering such requests, these rights are obligatory unless it is information that TOPP has a legal or medical obligation to retain. Please note that medical records are subject to different rules in comparison to other forms of information and can be exempt from the right to be forgotten. The right to be forgotten is exempt when:

- The data is necessary for reaching a diagnosis
- The data is necessary for the provision or prevention of a health service to an individual.

Some types of information are also held for a minimum of 7 years for legal purposes and GDPR does not override any existing legal requirements. Therefore, where a request to be forgotten has been made this information may not be erased until after the 7 year retention period.

## **Data Portability**

As the client, you have the right to receive your personal information held by TOPP, and also have the right to transfer that information to another party (subject to the same restrictions as mentioned above).

The right to data portability only applies when:

- the lawful basis for processing this information is consent or for the performance of a contract; and
- you are carrying out the processing by automated means (i.e., excluding paper files).

For the purposes of the Data Protection Act 2018 and UK GDPR, the data “controller” is TOPP and Dr Abigail Oldfield.

Thank you for taking the time to read this privacy policy. Please do not hesitate to contact TOPP for more information about this if necessary.

*This Privacy Policy lets you know how your personal information is being collected, stored, and shared and this is line with UK General Data Protection Regulations and the Data Protection Act 2018.*