**DATA PROTECTION POLICY AND PRIVACY NOTICE**

Turn About Pegasus, 2 Black Heddon, Lowick, Berwick upon Tweed. TD15 2PE

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We are committed to protecting your personal information and your right to privacy.

If you have any questions or concerns about this privacy notice, or our practices with regards to your personal information, please contact us at the above address and phone number.

When you visit our website https://www.turnaboutpegasus.co.uk and more generally, use any of my services I appreciate that you are trusting us with your personal information.

We take your privacy very seriously. In this privacy notice, we seek to explain to you in the clearest way possible what information we collect, how it’s used and what rights you have in relation to it.

Take some time to read through it carefully, as it is important. If there are any terms in this privacy notice that you do not agree with, please discontinue use of Turn About Pegasus’s services immediately.

**Data Protection Principles**

We will comply with data protection law including the 6 principles of GDPR which are:

1. To process personal data lawfully, fairly and in a transparent way.

2. To collect personal data only for valid purposes that we have advised you about and to not use personal data in any way that is incompatible with those purposes (unless we have notified you and explained the lawful ground that allows us to do so).

3. To only process personal data to the extent necessary for the purposes we have advised you about.

4. To keep personal data accurate and kept up to date.

5. To keep personal data only as long as necessary for the purposes we have told you about.

6. To keep personal data secure.

**Data Protection**

Data Protection officer is: TRACIE FAA-THOMPSON **–** [tracie.j.faa@gmail.com](mailto:tracie.j.faa@gmail.com)

**Personal Data Processing Summary Statement**

Personal data means any information about an individual from which that person can be identified. It does not include anonymous data where the identifying information has been removed.

**Clients, Business Customers** – we collect data on our clients/business customers to allow Turn About Pegasus to deliver on the work we have been contracted to do.

During our referral process we will collect, store, and use the following categories of personal data about you:

* Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
* Full names of child, parents or carers, and other significant family members
* Dates of birth
* School/nursery/alternative education contact details
* Reasons for seeking counselling/therapy education and training services
* Referral information
* Family history
* Experiences of school, social interactions, and relevant medical information
* Support networks, strengths, and interests
* We also store brief records of therapy sessions and review meetings, including dates, times and a brief overview of content.
* Next of kin and emergency contact information
* Services involved within the contract agreement

We may also collect, store and use the following “special categories” of more sensitive personal information:

* Information about your/child’s health, including any medical condition, health and sickness records.

It is a requirement that we communicate regularly with our clients and business customers so that we can fulfil service delivery. Service reminders and important service information will be sent on the basis of our Contractual Obligation, invoices will be processed on the grounds of legitimate interest.

Communications to clients therefore include – communication throughout the contract, email, letter and phone calls, all required to fulfil the contract.

Communication to business customers therefore include – communication re project delivery, funding, working together, this will include email, letter, phone calls.

**Business Prospecting**

We source data on funding streams and potential agency working together opportunities. We prospect to them via direct mail, email and web mail newsletters and phone calls. We communicate with them on the grounds of legitimate business interest, it is in everyone’s interest to develop relationships with this audience to work in partnership with them in the future. They have the opportunity to opt out and opt in of our policies and procedures.

**Data Processor**

|  |  |  |  |
| --- | --- | --- | --- |
|  | Data access level | Scope of Data Access and Process | |
| TRACIE FAA-THOMPSON | 1 | Full Client and Business Customer details  Supplier details  Client and Customer data  Analytics data | Job process |

**Definitions:**

|  |  |  |
| --- | --- | --- |
| Full Client and Business Customer details | Name, address, phone number, email, referral pathways, agency details, funding, financial and invoice details | Made up of Natural and Legal Persons |
| Supplier details | Name, address, phone numbers, email address of suppliers to our business | Made up of Natural and Legal Persons |
| Clients/Customers data | Anonymised data collected from working with the client, for the purposes of seeking funding, measuring processes. Data from the Business Customer will be used for marketing, funding | Made up of Natural and Legal Persons |
| Analytics data | Data on web traffic sourced through Google Analytics | Made up of Natural and Legal Persons |

|  |  |
| --- | --- |
| Job Process | The actions required to deliver on contract. Collection of name, address and contact data |
| Prospecting | Sourcing and marketing to potential business clients |
| Invoicing | Sending out invoices, and chasing of payment |
| Sales | The process of communicating with a person who has expressed an interest in the service. They have made either direct contact with us, or their details have been passed to us by a provider |
| Mailing | Mailing out invoices, referrals, progress reviews. |
| Client/Customer recontact | Contacting existing and previous clients to determine satisfaction |
| Email marketing campaigns | Regular business to business email updates |

**Data Security**

We have in place appropriate security measures to prevent the client’s personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

* Data Access
* Storage
* Encryption Levels
* Data Transfer to third parties

Data is secured in the most secure way that we can, which allows us to deliver on the contracts.

All computers utilise face recognition technology and are password protected. The files within our hardware that contain data are encrypted. Backups are stored on a secure hard drive. Data which is transferred outside of the office is transferred on an encrypted hard drive.

Online storage – we use secure cloud storage and Dropbox for some data storage. Due diligence shows these organisations adhere to the required standards required by GDPR

Our laptop also uses face recognition and is password protected and is never left unsecured.

**Data Breach Process**

We have put in place procedures to deal with any suspected data security breach and will notify the client and any applicable regulator of a suspected breach where we am legally required to do so.

We have the following obligations

* To inform the Information Commissioner if there is a serious breach of data security within 72 hours of the breach occurring
* A responsibility to inform the data subject (Client) if there is any likely harm arising from that breach
* We also must inform our Business Customers on whose behalf we are processing the data

Our process is as follows:

1. Data breach is discovered. The breach is noted, time and dated, which data has been affected, the extent and seriousness of the breach is determined.
2. For a serious breach – the Data Controller will inform the ICO on the working day of the breach being discovered. This allows us to cover breaches over the weekends.
3. For all breaches – if the data has been sourced from a provider, then the data controller will inform the provider within 1 working day the extent of the breach is identified, regarding potential harm to the client/customer (subject). If harm is a likely outcome, then data controller will inform the data subject.
4. The breach will be discussed and reviewed, and steps will be taken to mitigate it occurring again.

Note – the responsibility passes to the suppliers of any data breach of our data, they must make Turn About Pegasus aware on the same working day of any breaches.

**Data Providers**

Data providers are classed as our customers/clients.

**Data Retention**

We will only retain personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

We will securely dispose of all records 10 years after your adult therapy ends, or later if required by the funder or the legal law (in which case we will inform you of this). You can ask us to delete your information following the end of the intervention. For children it is 26 years of age (see our separate children’s policy).

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

**What if I don’t want my records to be held for that long?**

Under the GDPR you can make a request in writing to your therapist, for all your records to be deleted. In this case all your paper records would be shredded with a cross-shredding machine and any electronic data such as emails or text messages would be permanently deleted from the devices they are stored on. We would have to save the request for deletion you made but would not save any other data.

In some circumstances our insurance companies’ legal team may want to verify information we process.

In some circumstances we may anonymise personal information so that it can no longer be associated with the client, in which case I may use such information without further notice to the client.

**Rights of Access, Correction, Erasure, and Restriction**

It is important that the personal data we hold about clients is accurate and up to date. We ask that clients/business customers keep us informed if their personal information changes.

Under certain circumstances, by law the client has the right to:

**Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information I hold about you and to check that I am lawfully processing it.

You have the right to see records that are kept about you. If you would like to do this, please email us and we will explain anything about your record that you may deem is unclear.

There are two circumstances in which access may be refused to any part of your record. These are:

1. Where we believe that to do so could be harmful to you.
2. Where information has been supplied confidentially by someone else. (Consent must normally be obtained from that person before sharing information with you.)

According to the General Data Protection Regulation (GDPR), parents and guardians do not have automatic access to information relating to their children. We have a duty to act in the best interests of the child or young person under our duty of care when deciding what information to share with parents and carers.

The law states that sharing details of therapy sessions will not usually be deemed to be in the child’s best interest.

Parents have the right to ask to see information which is stored about them, for example records of meetings where they were present.

**Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you to be updated/corrected.

**Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).

**Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.

**Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

**Request the transfer** of your personal information to another party.

**Why we store this information**

The General Data Protection Regulations define specific legal bases for storing information. Several of these apply to the information which we store about clients and their families:

* We ask clients and/or parents to consent to us storing and using this information.
* We only store the information which we need to provide the services which you have asked us for.
* In some cases, we need to use the information collected to protect vulnerable adults, children and young people (Safeguarding).

**How information is used**

Turn About Pegasus keeps records of our work with, adults, young people and families. These are to help us in our work with you. They also help our supervisors to check that we are offering a good professional service and that our work is effective.

We collect some basic information when we arrange to work with you (see personal processing data summary page 2 for more information).

We will keep a brief written record of each session with you and copies of any letters sent or received in relation to our work. Depending on the therapy some sessions are recorded on video and stored in our secure cloud storage.

Unless you ask us not to, your address, phone number, or e-mail address may be used to contact you in relation to your therapy. Any email contact will be stored and processed in the usual way by our email provider and yours.

**Confidentiality**

We will not usually tell anyone outside of our child or adult therapy sessions anything specific that happens in therapy unless the child or family explicitly asks for information to be shared.

Clients have the right to share whatever they like from their experience of therapy with anyone they choose. We encourage parents / carers not to ask children what they have done or talked about in therapy. We offer regular review meetings to parents / carers, and we will discuss these in advance with the child or young person and agree what information we will share.

We receive professional, external supervision, which is also kept confidential.

There are some situations where we may pass on information without a client’s agreement. These are:

* When we are concerned that a child, young person, or someone else would be at serious risk if we did not pass on information. (see Turn About Pegasus adult and Children’s Safeguarding Policies)
* When we have information relating to acts or potential acts of terrorism or money laundering. We are legally obliged to report this.

If it doesn’t compromise client safety, we will discuss our concerns with the client first and come to an agreement about what is the safest thing to do. We will tell the client what information we are going to share, and who we are going to tell. If the client is under 18, we will also discuss the situation with parents / carers before sharing this information, as long as it is safe to do so.

In order to safeguard you and the people around you, if you were to disclose that you were going to carry out harm to yourself or someone else, then under our therapists “Duty of Care” we are obligated by law to inform the relevant authorities. This is to support you to live well.

If we do need to share information without the client’s or family’s consent, we will consult the referrer and follow safeguarding procedures for the Local Authority where you live.

We will write down what information has been shared and the reason why we breached confidentiality.

**What about other Health and Social Care Professionals?**

As we adhere to the GDPR any contact, relating to you, with other health care professionals would only be made with your signed consent e.g. if we were to write to your GP to notify them of your treatment with them, and then notify them of the treatment ending, we would only do this if you were to sign the specific consent for this on our consent form. We will also ask you to sign a copy of the document to confirm that you agree to the details contained in the document, before it is then shared.

**Monitoring and evaluation**

We evaluate all our work, to ensure that all the services we deliver are effective, to enable us to continue to grow and improve our practice, and to help us plan and develop our service.

To demonstrate to funders and referrers the effectiveness of the interventions and to guide potential future services either within or without our service provision.

As part of funders protocols including value for money and effectiveness of services.

We will ask you to complete before intervention forms and an end of services evaluation forms to both monitor and evaluate the therapeutic experience.

You and Turn About Pegasus may also record with your written consent and permission your feedback in relation to your experience of therapy verbally, via video or other forms of communication.

We will store this information and analyse it within our services. This can be anonymous if you request this to ensure that there is no possibility of individual clients being identified.

**Clients’ written and visual artwork**

We provide secure storage for art and craft work and therapeutic life story work which clients might produce during face-to-face sessions. At the end of therapy, you can decide whether to take your work home or whether you would prefer us to destroy it for you.

If we lose contact with a client before the planned end of their therapy, we will store artwork and therapeutic life story work (as long as its not personal photographs etc) for up to three months, during which time you can arrange to come and collect it.

After three months any work which has not been collected will be disposed of securely. Apart from Personal therapeutic life story work information which must be arranged to collect from you the client.

**Testimonial policy on public forums**

Over the past 20 years we have worked with over 3,200 clients aged from four to 84, supporting alternative education, courses towards further education, Youth and Adult Offending Teams, Young Carers, drug and alcohol services, Domestic Abuse, Looked After Children. Adoptive and Foster Families. Neuro diverse people, Military Families. Partnership working with Charities both local and countrywide.

However, you won’t find any testimonials on our websites or on any social media platforms for the following reasons. As a member of National Counsel of Integrative Psychotherapists Professional and other professional therapeutic bodies we abide by their advice and guidance. Read Below:

***NCIP ADVICE 1***

*The NCIP advises against the use of testimonials, except for in regard to coaching.  You are advised against the use of testimonials for counselling, psychotherapy and hypnotherapy.  Failure to comply with the following guide may lay you open to falling foul of ethical behaviour.  If you adhere to the following you would not be considered in breach of the Code of Ethics & Professional Practice although the safest way and what we would prefer is that you not to use testimonials for cases other than coaching.*

***WHY AVOID TESTIMONIALS?***

*Just to say first that if you use testimonials with anonymity, it may sometimes appear untrue and merely an advertising puff to gain more work.*

* *Vulnerable clients should never be identified.*
* *The Advertising Standards Authority (ASA) may want evidence of validity, so you need your client to agree to have their details verified with whatever process ASA require.*
* *Clinical conditions are healthcare related healthcare data must be private.*
* *Careful client agreement and data protection policies need to be used.*
* *Clients may feel pressured into testimonials, and this is a power dynamic issue.*
* *Clients may feel happy to have their details on the internet now but may regret it later.*
* *Using testimonials may make you look less confident in your status as a professional.*
* *Testimonials may look sales orientated rather than clinical care orientated.*
* *Many people know that other professional bodies such as the UKCP ban testimonials as unprofessional, and therefore you may be using a method widely frowned upon*
* *The media have publicised unethical use of testimonials and “paid for reviews” and this may raise doubts in clients when reading testimonials*

**Changes to this Policy/Privacy Notice**

We reserve the right to make changes to update this document at any time.

If you have any queries regarding this document, please write to: Turn About Pegasus at the address provided at the beginning of this document.