



DRCS

DRCS Privacy Notice

Privacy Policy for Derwent Rural Counselling Service

ABOUT THIS PRIVACY POLICY

This privacy policy, explains our policy regarding any personal data that you might supply to us (or that might be collected from you or received about you) when you visit our website or use certain services offered via the website (Information). The information shall be used in accordance with the permissions granted by you and in accordance with GDPR and the Data Protection Act 2018.

Please note that this Privacy Policy does not apply to your communications with any third party.

DATA PROCESSORS

DRCS works with a number of authorised third party partners, in order to deliver the services described on the Website (DRCS.org.uk) and such third party partners are data processors for the purpose of the Act.

DRCS also acts as a data processor for Derbyshire Healthcare Foundation Trust.

DATA CONTROLLER

DRCS is the data controller, for all employees, all contractors and for all clients who engage with the DRCS Charity Service for Talking Therapies, (for the purpose of the Act) and can be contacted at Newholme Hospital, Baslow Road, Bakewell, DE45 1AD. All clients who access and engage with TMHD (Talking Mental Health Derbyshire) can contact the Data

Controller for the Trust at The Ashbourne Centre, Kingsway Site, Derby.

OUR COMMITMENT TO PROTECTING YOUR PRIVACY

DRCS is committed to protecting your privacy. You can visit all pages on the website without asking for any information.

We do not automatically store or collect any personal information about our visitors, neither do we store nor collect personal information from other sources, such as public records or private organisations.

We do collect information from the technology that is used to view our site which we can use to analyse trends and administer the site. The data collected to enable us to do this is anonymous and does not identify you as an individual. Sometimes DRCS does need information to provide the services that request. This document is designed to give you a clear explanation of DRCS's data processing policies. Please see below for further information. If you have any questions or concerns relating to the use of your information and/or data protection, please contact the Data Controller at our registered office (address above).

By using the website you consent to DRCS's use of your information as described in this Privacy Policy. If we change this Privacy Policy we will post an updated version of this Privacy Policy on the website to keep you aware of what information is collected, how it is used and under what circumstances we may disclose it.

INFORMATION COLLECTED

You may send us or we may ask you to send or we are sent via a third party or we may create the following information:

- Your full name.
- Your address and post code.
- Your contact information (such as your email address, telephone number and mobile phone number).
- General information about yourself (such as your experience of our service and your contact preferences).
- In the event that you apply for a job with DRCS, we will require further professional information about you by way of a job application or your CV.
- In the event that you engage with DRCS as a contractor, supplying your professional services, we may require further professional information such as insurance details, qualifications and personal contact details.
- Special category data which is more sensitive and can include your health, ethnicity, religion, sexual orientation or disability.

DRCS may, in limited circumstances, disclose your information to third parties. These third parties may be other health care providers who will assist in your care.

- A third party or parties may be involved if DRCS is under a duty to disclose or share your information to comply with any legal obligation or in order to enforce or apply DRCS's terms and conditions and other agreements or protect the rights, property, or safety of our clients, staff and others. This includes

sharing information with other companies and organisations for fraud protection.

HOW YOUR INFORMATION IS USED

DRCS and our partners may use your information in the following ways:

- To provide a health care service where necessary including safeguarding
- To ensure the content on our website is presented in the most effective manner for you and your computer
- To enable you to use the interactive features on our website
- To contact you as interested parties
- For our internal record keeping
- In the event that you apply for a job with DRCS we will use any information you submit by way of a job application or your Curriculum Vitae solely to assess your suitability for employment by us and to carry out any subsequent interview process

When your information is used, we will use one or more of the legal bases.

Where you have provided consent, we may use and process your personal information where you have consented for us to do so for the following purpose:

- To supply information about DRCS, its activities, reports and news

Your data will not be passed, sold or given to any third parties for the purpose of marketing. You may withdraw your consent for us to use your information in any of these ways at any time. Please see the 'withdrawing your consent' section.

Where required to perform a CONTRACT with you we may use and process your personal information where it is necessary for the performance of a contract with you, or in order take steps at your request before entering into a contract with you including for the following purposes:

- As members of staff
- As members of DRCS (trustees)
- Contractors and sub-contractors

Where it is in your VITAL INTEREST, we may use your personal information without your consent if we otherwise reasonably believe that the processing of your personal information will prevent or reduce any potential harm to you. It is in your vital interests for us to use your personal information in this way.

When required to comply with our LEGAL OBLIGATIONS we will use your personal information to comply with our legal obligations including:

- To assist HMRC to prevent and detect fraud
- For benefits and tax administration and as part of an appeal
- To identify you when you contact us
- To verify the accuracy of data that we hold about you

Where there is a LEGITIMATE INTEREST, DRCS will not be using legitimate interest as a basis for using your personal information.

As part of our PUBLIC TASK we will use your personal information as necessary for the performance of a task carried out in the public interest and in the exercise of official authority. DRCS may also use your personal information to conduct research. The official authority is the Health and Social Care Act 2003. Your health data will be processed by DRCS using this legal basis.

SPECIAL CATEGORIES OF PERSONAL INFORMATION:

- Personal data concerning health is a special category of personal data. DRCS will use your personal data under a special part of the new law: Article 9(2)(h) which includes medical diagnosis, the provision of health and social care or treatment or the management of health and social care systems.

DRCS will also use your personal information containing 'health' for reasons including:

- Waiting list management
- Performance against targets
- Activity monitoring
- Local clinical audit
- Production of datasets for commissioning purposes and national collections
- Responding to public health emergencies

DRCS might also use special categories of personal information for research. This might include medical data, ethnicity, faith, gender and biometric information. For this we will use part 9(2)(j) of the law which allows us to conduct proportionate research for statistical purposes.

When using your special categories of personal data we will use it in accordance with UK law and provide suitable and specific measures to safeguard your fundamental rights and interests.

YOUR RIGHTS

Your Data Subject Rights:

You have a number of rights in relation to your personal information under data protection law. In relation to certain rights we may ask you for information to confirm your identity and, where applicable, to help us search for your personal information. Except in rare cases we, will respond to you within 30 days after we have received this information or, where no such information is required, after we have received your request.

Accessing Your Personal Information:

You have the right to ask for a copy of the information that we hold about you by emailing or writing to us at the address at the end of this policy. We may not provide you with a copy of your personal information if this concerns other individuals or we have a lawful reason to withhold that information.

Correcting and Updating Your Personal Information:

The accuracy of your information is important to us and we are working on ways to make it easier for you to review and correct the information that we hold about you. In the meantime, if you change your name, address, email address or you discover that any of the information we hold is inaccurate or out of date, please let us know by contacting us via our contact details at the end of this policy.

Please note that while DRCS will endeavour to make the updates as promptly as possible, communication may be sent using the original details until the changes have been processed.

Withdrawing Your Consent:

Where we rely on your consent as the legal basis for processing your personal information, as set out under 'how we use your personal information' in section 4, you may withdraw your consent at any time by using the contact details at the end of this policy. If you would like to withdraw your consent to which you have previously opted in, you can do so by contacting us by either telephone, post or email. If you withdraw your consent, our use of your personal information before you withdraw is still lawful.

Objecting to Our Use of Your Personal Information and Automated Decisions Made About You:

When acting as a Data Processor for the NHS, we operate under their guidance using the legitimate reason of conducting a PUBLIC TASK in the Public Interest as our legal

basis for processing your personal information for any purpose, as mentioned in 'how we use your personal information' section, you may object to us using your personal information for these purposes by email or writing to us at the address at the end of this policy. Except for the purposes for which we are sure we can continue to process your personal information, we will temporarily stop processing your personal information in line with your objection until we have investigated the matter. If we agree that your objection is justified in accordance with your rights under data protection laws, we will permanently stop using your data for those purposes. Otherwise we will provide you with our justification as to why we need to continue using your data. Your rights to object will not apply where the information is being used for research or statistical purposes.

You may also contest a decision made about you based on automated processing by contacting the service regarding data protection.

Erasing Your Personal Information or Restricting its Processing:

In certain circumstances, you may ask for your personal information to be removed from our systems by emailing or writing to the address at the end of this policy. Unless there is a reason that the law allows us to use your personal information for longer, we may make reasonable efforts to comply with your request. You may also ask us to restrict processing your personal information in the following situations:

- Where you believe it unlawful for us to do so

- Where you have objected to its use and our investigation is pending or you require us to keep it in connection with legal proceedings

In these situations, we may only process your personal information whilst its processing is restricted if we have your consent, or are legally permitted to do so. For example for your health, for storage purposes, to protect the rights of another individual or company or in connection with legal proceedings.

Transferring Your Personal Information:

Where we rely on your consent as the legal basis for processing your personal information' or need to process it in connection with your contract, as set out under 'how we use your personal information, you may ask us to provide you with a copy of that information in a structured data file. We will provide this to you electronically in a structured, commonly used and machine readable form, such as a CSV file.

You can ask us to send your personal information directly to another service provider, and we will do so if this is technically possible. We may not provide you with a copy of your personal information if this concerns other individuals or we have another lawful reason to withhold that information.

MARKETING USE:

DRCS will not make an effort to contact you regarding information about DRCS's activities. We do not ask you to subscribe and will not send any information by email or post. We will not supply your personal information to any other party for the purpose of marketing.

Our Retention of Your Information:

DRCS follows the standard NHS approved procedure for records management. This means that we will keep your records for a length of 20 years. You can view the whole NHS policy by going to the following link:

<https://www.england.nhs.uk/wp-content/uploads/2017/09/document-records-management-policy-v4.pdf>

STORING YOUR INFORMATION:

If you are an employee, a contractor or a registered client of DRCS, the information that DRCS collects from you, is held by DRCS only. Information gathered when acting as a data processor for Derbyshire Healthcare Foundation Trust, is stored and managed by DHCFT.

DRCS takes all reasonable steps necessary to ensure that all data is stored and processed in line with GDPR and this privacy policy.

WEBSITE SECURITY/COOKIES:

Our website may contain links to other websites run by other organisations which we do not control. This policy does not apply to those other websites and apps, so we encourage you to read their privacy statements. We are not responsible for the privacy policies and practices of other websites and apps (even if you access them using links that we provide) and we provide links to those websites solely for your information and convenience. We specifically disclaim responsibility for their content or thoroughness, your disclosure of personal information to third party websites is at your own risk. In addition, if you linked to our website from a third party website, we cannot be responsible for the privacy policies and practices of the owners and operators of that third party website and recommend that you check the policy of that third party website.

COOKIES:

We use cookies on our website for analysis and to help administer the site. The data collected to enable us to do this is anonymous and does not identify you as an individual.

REPORTING FRAUD:

We will never send you emails asking for personal information. If you receive an email or are asked to disclose this information by someone claiming to work for DRCS please report the communication to our Data Controller at the address at the end of this policy.

CHANGES TO THIS POLICY:

We may review this policy from time to time and any changes will be notified to you by posting an updated version on our website and/or contacting you by email. Any changes will take effect 7 days after the date of our email or the date on which we post the modified terms on our website, whichever is earlier. We recommend you regularly check for changes and review this policy when you visit our website. If you do not agree with any aspect of the updated policy, you must promptly notify us and cease using our services.

REQUESTS FOR INFORMATION OR COMPLAINTS:

If you have any questions, suggestions or complaints about the processing of your personal information or wish to contact us to amend/update your information or if you wish to access the information we hold about you, please contact us using the contact details below:

Alex Rose - Alex.rose@nhs.net

Telephone: 01332 623700 ext 31525

Address:

Trust Headquarters
Kingsway Hospital
Kingsway
Derby
DE22 3LZ
or

Mark Penman -markpenman@drcs.org.uk

Newholme Hospital

Baslow Road

Bakewell

DE45 1AD

01629 812710

COMPLAINING TO THE DATA PROTECTION REGULATOR:

You have the right to complain to the Information Commissioners Office if you are concerned about the way we have processed your personal information. Please visit the ICO's website for further details or use the contact details below.

Information Commissioners Office

Wycliffe House

Wilmslow

SK9 5AF

Email: www.ico.org.uk/global/contact-us/email

Website: www.ico.org.uk/