

Data Protection Policy

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1. Overview

This Data Protection Policy presents the Inner City Centre’s procedures for compliance with the General Data Protection Regulation (GDPR).

The ICC gathers and holds sensitive personal information for the purpose of helping enquirers find therapy. To that end, the Referral Therapists gather as much information as possible in a brief conversation to come to a conclusion about whether psychotherapy would serve the best interests of the enquirer.

In addition, the ICC holds information, some of which may be sensitive, about members, trustees, and staff, and holds contact information for donors and members of the public who might be interested in ICC activities.

The ICC recognises that because a large part of the data it holds comes under the category of sensitive personal data it has a particular responsibility to ensure that the data is:

- 1 processed lawfully, fairly, and in a transparent manner in relation to individuals
- 2 collected for specified, explicit, and legitimate purposes in accordance with its charitable aim of providing psychotherapy
- 3 adequate, relevant, and limited to what is necessary in relation to the above purpose
- 4 accurate and kept up date on a regular basis
- 5 kept in a form which permits identification of data subjects for no longer than is necessary
- 6 processed in a manner that ensures appropriate security, including protection against unauthorised or unlawful processing or accidental loss

The policy set out in this document applies to data held by the ICC which relates to:

- 1 potential, current, and past patients
- 2 applicants for membership, current members, and past members
- 3 applicant, present, and past trustees
- 4 staff, consultant psychiatrists to the ICC, and consultants hired from time to time
- 5 current and past donors
- 6 people who might wish to be informed about the ICC and its activities

The policy does not apply to data about a patient which has been created by an ICC therapist for their own private purposes and is not shared with the ICC.

The ICC holds anonymised data about patients for the purpose of monitoring its performance and providing evidence of effectiveness.

2. Lawful basis for processing data

Organisations must have a lawful basis for processing personal data. The lawful bases include:

consent

necessary for the performance of a contract

to comply with a legal obligation

to protect the vital interests of the data subject or a third party

processing for the legitimate interests of the data controller and is not disproportionately intrusive of the data subject's privacy

processing is in the public interest and is not disproportionately intrusive of the data subject's privacy

3. Who is responsible for processing the data

Processing includes everything done with information, i.e. holding, obtaining, recording, using, disclosure, and sharing. 'Using' includes disposal, i.e. closure of the record, transfer to an archive, or destruction of the record.

The staff and the members of the ICC are made aware of their responsibility to follow ICC's policy and procedures with regard to compliance with the GDPR. In particular that they:

may only process data in accordance with written consent from the subject

must take the necessary steps to protect the data from accidental loss, damage, alteration, or unlawful disclosure

may not disclose or divulge the data to any third party unless directed in writing by the person concerned, except in the case of certain statutory authorities, such as the police, in which case person must be informed.

must comply with any request by the person concerned to access copies of his or her identifiable personal data, unless granting access would be likely to cause serious harm to the physical or mental health of the individual or someone else

3.1 Data Protection Officer

The ICC has appointed a Data Protection Officer with the specific responsibility of overseeing data protection and ensuring compliance with this Policy and GDPR. This officer ensures that all who process data within the ICC system are fully aware of their individual responsibilities under the GDPR, and ensures that the data is kept up to date and is destroyed when it is no longer required.

In the event of a subject access request for disclosure of the information held, the Data Protection Officer is responsible for ensuring that all necessary steps are taken to comply with the relevant provisions the GDPR.

The Data Protection Officer is responsible for reporting any breaches of the GDPR provisions to the Information Commissioner's Office and the Charity Commission within 72 hours of becoming aware of the breach.

3.2 Data Controller

The ICC's Data Controller is the Chair of the ICC.

3.3 Data Processors

The Data Processors, who carry out the instructions of the ICC Council, are the staff, being the Referral Therapists, the Administrator, and the Book-keeper, the members of the ICC, and certain officers (e.g. the CORE Collator, committee members as the need arises).

The Referral Therapists and the Administrator are the ICC's main Data Processors.

4. The processing of the data

The Referral Therapists hold sensitive personal data related to prospective patients which is shared with ICC therapists only as needed for the purpose of matching therapists to requests for therapy. The data is shared with a therapist who is considered suitable to provide treatment for the potential patient, and it might also be shared with a therapist who conducts an initial one-off consultation.

The Referral Therapists' records are the only place where an individual enquirer's name is held. Their records are deleted annually, one to two years after the Referral Therapist has finished dealing with the referral, successful or otherwise.

The Administrator holds anonymised data relating to existing and past patients, and data relating to members, trustees past and present, individual donors, and members of the public interested in ICC activities.

The anonymised data relating to patients is kept indefinitely to measure the effectiveness of the service provided, to provide a record of service use over time for good governance and management of the organisation's work, and to provide evidence of our service to existing and potential donors

5. What we do if an individual asks to see their data

A data subject may request a copy of the data the ICC holds about him or her – a subject access request or SAR.

An SAR can come in any format; it only needs to be made in writing, including by email. It must be complied with. The ICC can supply a form to help facilitate compliance with the request, but use of the form is not obligatory. The ICC may need to try to gain clarification on exactly what information is required before processing an SAR.

The ICC will respond to an SAR promptly, and in any event within 40 calendar days of receiving it. The ICC will not normally charge a fee for responding to an SAR, but may charge a reasonable fee if it considers that a request is manifestly unfounded or excessive, particularly if it is repetitive, or if it is for a copy of information already supplied.