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APS DATA PROTECTION AND PRIVACY POLICY (Revised September 2021)

Background

Aspen Psychology Services Ltd. (APS) aims to be as clear as possible about how and why we use information about you/your child so that you can be confident that your privacy is protected.

This policy describes the information that APS collects when you use our services, how we use it and where we store it. This information includes personal and sensitive information as defined by the General Data Protection Regulation (GDPR) 2018 and the UK Data Protection Bill 2018.

APS uses the information we collect in accordance with all laws concerning the protection of personal data, including the Data Protection Act 1998 and the GDPR 2018. As per these laws, the Data Controller is:

Mark Adams (APS Director).
Email: mark@aspenpsychologyservices.co.uk
Tel: 07930 432807

The APS Data Protection & Privacy Policy is driven by a principle of attempting to significantly reduce the likelihood of a data breach. We therefore only keep personal and sensitive information for as long as is necessary to perform our functions, with the exception of archived electronic copies of reports which are held in case queries about the work are raised in future.

If you have any queries about this policy, please contact the Data Controller directly. If you are not satisfied with the answers provided, or if you require any further information, you can contact the Information Commissioner's Office (ICO) at <https://ico.org.uk>

1. Why do we need to collect personal information?

We need to collect personal information so that we can:

- Provide evidence that we have obtained informed consent before providing services in relation to a given child or young person.
- Carry out and deliver a service that we have been contracted to provide, either by a parent, a child/young person's school, nursery or educational setting, or the young person themselves. This is primarily an Educational Psychology service.
- If required, contribute to relevant proceedings e.g. child protection meeting.
- Communicate with you.
- Liaise with you about whether or not you wish to proceed with using our service.

If you are a parent that has commissioned our service, we need your details so we can communicate with you, send reports to you, contact you regarding appointments, provide feedback after an assessment, and send invoices.

2. What types of information and data are collected?

Consent forms

- Personal details which identify the family and pupil for the purposes of demonstrating consent and enabling (where necessary) communication with the family, e.g. family name, child or young person's date of birth, address, telephone number(s), email address.
- All background information relevant to the work carried out, e.g. observations about the child or young person's development, areas of strength, concerns, and other services involved.

The legal basis for this is our contract with you. If the work has been commissioned by a school, gathering such information constitutes a legitimate interest.

Information about the child or young person

- We may also collect information about the child or young person from third parties, e.g. school staff, other professionals.

The legal basis for this is your consent.

Potential client enquiries

- If we are contacted about the possible provision of services, we may need to collect some information about you/your child via email.

The legal basis for this is a legitimate interest.

Reports from other agencies or professionals

- We are sometimes sent copies of reports from other agencies who may be involved with the child or young person.

The legal basis for this is a legitimate interest.

Professionals

- If you sign up for the APS mailing list, we ask for your name and email address.

The legal basis for this is your consent.

- If you have signed up for the APS mailing list on a training course evaluation form, then the legal basis for us processing your data (and sending you information about subsequent related content, training courses or websites) is a legitimate interest.

Associate Psychologists

- If you provide services for APS as an Associate Psychologist, we need your curriculum vitae, Disclosure and Barring Service check details, and proof of HCPC registration.

The legal basis for this is the need for the data controller to carry out their obligations.

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

Consent forms

- Some of the information in these forms is used in reports or consultation records that may be written about the child or young person (e.g. child's name, date of birth).

Information about the child or young person

- We use information gathered about the child or young person to write: (i) psychological reports describing the strengths and needs of children and young people; (ii) consultation records which summarise meetings that have taken place at a school to inform action-planning; or (iii) we may sometimes write to a young person (via their parents if under 18) to provide feedback on an assessment or coaching session, for example.
- If you are a parent and have commissioned the service yourself, you are the owner of the report and are solely responsible for determining who it is shared with.
- If the work has been commissioned by a school, we will share the findings with the school in a report or consultation record. At this point the document becomes the responsibility of the school. The school will then share this document with you. We may also, from time to time and if it is appropriate to do so, share the documentation (or key findings from it) with other professionals. Your consent for us to do this is provided in our consent form.

Reports from other agencies or professionals

- We may sometimes quote information from other reports if appropriate to the case.

Professionals

- We use your email address to send you the APS Newsletter.
- We do not share your data with any other parties.

Associate Psychologists

- We keep your details for the duration of your Associate Agreement with APS, and for one year afterwards.

4. Where do we keep the information, and how do we keep it safe?

Consent forms

- Our primary means for obtaining consent forms is asking schools or parents to upload a scan of, or photograph of, the signed consent form to a secure, password-protected Microsoft OneDrive folder. Each folder has its own unique password. APS Psychologists can only access the OneDrive folders through a two-factor authentication process.
- If returned in written form, consent forms are either: (i) stored in a lockable filing cabinet; or (ii) photographed and uploaded to the OneDrive, with the paper copy then being shredded.
- If returned as password-protected forms via email, consent forms will be uploaded to the relevant OneDrive folder as described above and the email will then be deleted.

Information about the child or young person

- Handwritten notes are shredded once a report has been written, finalised and sent.
- Reports are password-protected and stored electronically on a password-protected encrypted drive. An electronic copy of the document is held in a central archive on Microsoft OneDrive, which can only be accessed by APS psychologists through a two-factor authentication process.

- Paper reports and assessment forms are stored in a lockable filing cabinet.
- Our email provider is 1&1 Webmail. Emails are kept on the 1&1 Webmail servers, which are located in Europe and the United States.

Reports from other agencies or professionals

- If we are sent a copy of a report from another agency or professional, it will either be stored in a lockable filing cabinet, on a password-protected encrypted drive, or in a secure, password-protected OneDrive folder.

Potential client enquiries

- If we are contacted about the possible provision of services, we may need to collect some information about you/your child via email. These emails will be stored on the 1&1 Webmail servers, which are located in Europe and the United States.

Professionals

- If you sign up to the APS mailing list, your name and email address are stored on the MailChimp servers, which are located in the United States.

Associate Psychologists

- Your information is stored on a password-protected, encrypted drive.

5. How long do we keep the information?

Consent forms

- Consent forms are kept for two years. This enables follow-up work to take place if required. After two years, the form is shredded or deleted. If further work is required, consent will need to be re-obtained.

Information about the child or young person

- Handwritten notes are not kept once a report has been written and finalised.
- Electronic reports are stored for five years. In case we need to respond to any queries that are raised in the future, a copy of the document will be retained in a central archive (a secure Microsoft OneDrive area that is only accessed via a two-factor authentication process) until the end of the academic year in which the young person turns 26.
- Paper reports (if printed) and assessment forms are stored for one year, at which point they are shredded.
- Emails are deleted after two years.

Reports from other agencies or professionals

- If we are still involved with a child or young person, we will keep the report for two years. If we are no longer involved we will shred or delete the report without undue delay.
- If we receive documentation about a case where we are no longer involved, we will endeavour to let the sender know without undue delay.

Potential client enquiries

- If you contact us but do not decide to proceed with the service, we will delete your details without undue delay.

Professionals

- We keep your name and email address while you remain on the APS mailing list.

Associate Psychologists

- We keep your information for the duration of your Associate Agreement, and for one year afterwards.

6. How can collected information be viewed, deleted or changed?

- You can make a Subject Access Request (SAR) by contacting the Data Controller (Mark Adams). We may require additional verification that you are who you say you are to process this request.
- Personal information may be withheld to the extent permitted by law. In practice, this means that information may not be provided if it is considered that providing the information will violate the child or young person's vital interests.
- If you wish to have your information corrected, you must provide us with the correct data. After we have corrected the data we will send you a copy of the updated information.
- If you ask to have your data removed, a decision will need to be made as to whether it should be kept, taking into consideration e.g. whether deleting the data could compromise the vital interests of the data subject or another person, or whether deleting the data would constitute acting against a legal obligation. If we decide that the data can be deleted, it will be deleted without undue delay.
- If we refuse a request we will provide a clear rationale for this. Should this occur you have a right to complain to the Information Commissioner's Office.

7. How will we communicate with you?

Emails

- Emails containing personal or sensitive information will not be sent using publicly-accessible Wi-Fi.

Parental commissions

- We will send a completed report or consultation record to you as a password-protected .pdf document. The password will be communicated to you via a different medium (e.g. SMS, telephone).

School commissions

- We will send a completed report or consultation record to the school as a password-protected .pdf document. The password will be communicated to the school via a different medium (e.g. SMS, telephone). Once received, the school becomes responsible for the document in accordance with their own Data Protection and Privacy Policy.

APS mailing list (for professionals)

- You will only receive the APS newsletter (containing blog posts, information about services, marketing information) if we have your consent, or if sending such information to you constitutes a legitimate interest (e.g. if you have previously attended a related training course facilitated by a psychologist from APS).

8. What happens if there is a data breach?

A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. This includes

breaches that are the result of both accidental and deliberate causes. It also means that a breach is more than just about losing personal data.

- The GDPR introduces a duty on all organisations to report certain types of personal data breach to the relevant supervisory authority (the Information Commissioner's Office, ICO).
- When a personal data breach has occurred, we need to establish the likelihood and severity of the resulting risk to people's rights and freedoms. If it's likely that there will be a risk then we will notify the ICO.
- Should this situation occur, we will do this within 72 hours of becoming aware of the breach, where feasible.
- If the breach is likely to result in a high risk of adversely affecting individuals' rights and freedoms, we will inform those individuals and a relevant member of staff in the contracting organization (if applicable) without undue delay.
- We will also keep a record of any personal data breaches, regardless of whether we are required to notify.

9. How do I opt out of receiving emails or newsletters from you?

You can opt out of the APS mailing list at any time by following the instructions included within the email. Alternatively, you can email Mark Adams directly.