



## PERSONAL INFORMATION AND HOW IT IS USED

This leaflet tells you about the information we collect about you, how, why and with whom we share that information and how we keep your information confidential and secure.

### What we collect and why we need it

Derman must by law keep client records and there are legally defined time frames within which we must operate, for example, we keep mental health records for 20 years after the date of last contact with this service.

Regardless of the way your information is held, we will need to record key personal details about you.

Our record will include the following:

- full name, date of birth, and address
- NHS number
- Ethnicity
- Gender
- reason for referral
- medical history
- other information may be relevant to the development of your support plan
- any risks to your health/your child's health
- some other specific information according to service it is provided for the client (such as NI number/bank statement for welfare advice applications/forms etc.)

We will make a note of each contact you have with the service and document our assessments and the support plan that has been agreed with you. We will make notes about the progress of therapy. We will also record any concerns we have about risks to your health, for example, where there is a risk of harm.

Your record will also include correspondence (letters/notes of phone calls/ emails to/from other professionals/agencies) to other professionals involved in your care and our correspondence to you.

We need this information in order to provide you with appropriate and safe care and we need to keep your personal information up to date. If there are any changes to your circumstances during the time you are attending this service, for example, if you change your GP, please let us know.

If you believe that information in your record is inaccurate or incorrect, then please discuss with the Derman staff involved in your care.

### Sharing information

In order to provide you with good care we need to share information about you with other involved professionals, e.g. your GP, and this will be with your consent. We may also share details with other members of the clinical team involved in your care either here or externally.

Any organisation that receives information from us about you is also legally bound to keep your information confidential and to store it securely.

## Disclosure without consent

Occasionally there are circumstances in which we have to disclose information and when we do not necessarily need to obtain client consent. The three main justifications for this are:

- where there are concerns about the safety of a child or vulnerable adult
- when it is in the wider public interest to do so, for example, in the case of a serious crime
- when disclosure is required by law, for example when we are ordered by a court to do so

## Confidentiality and keeping your information safe

Derman is bound, by a common law duty of confidence and by the Data Protection Act 1998, to protect personal information. Derman also has contractual responsibilities and professional codes of conduct, which we must abide by.

We receive regular training to make sure we understand our legal responsibilities to keep your personal information safe and to know in what circumstances we may have to share confidential information.

We have procedures and policies in place to make sure that your personal confidential information is secure and that access to your record is strictly controlled and on a need to know basis. Your record is not accessible to anyone outside Derman.

You have the right to receive copies of letters written by professionals about your therapy. Unless you tell us otherwise, we will always send a copy of correspondence about you that we send to others. You can change your mind at any time. Derman will provide translated copies to the clients. However, there may be rare instances when a staff feels it is not appropriate to provide copies of letters/reports as it may cause you harm.

## The Caldicott Guardian

The Caldicott Guardian is a senior clinician appointed by Derman's Management Committee to ensure the protection of confidential patient information within the organisation and enabling information sharing externally. Derman's Caldicott Guardian is Nursel Tas who has got an extensive clinical background, and can be contacted at:

[services@derman.org.uk](mailto:services@derman.org.uk)

Derman follows the **Caldicott Principles** which apply to the handling of client-identifiable information. These principles are:

### Principle 1

You must be able to justify the purpose(s) of every proposed use of confidential patient information.

### Principle 2

You must only use personal confidential information when absolutely necessary.

### Principle 3

You must use the minimum information necessary.

### Principle 4

Access to personal confidential information must be on a strict need-to-know basis.

### Principle 5

All staff must understand their responsibilities.

## Principle 6

All staff must understand and comply with the law.

## Principle 7

The duty to share personal confidential data can be as important as the duty to respect service user confidentiality.

## Using your personal information in anonymised form

Personal data is anonymised and used both internally and externally. For example: to inform our management and planning; to inform our commissioners (the people who pay for the services we provide) of our levels of activity; to evidence, by monitoring client outcomes and feedback, that the services we provide are effective.

## Access to your medical record

Under the Data Protection Act 1998 you can apply formally to see or obtain a copy of your record. You will need to apply in writing to the CEO. If someone else, for example, a relative or a solicitor is requesting access to your records on your behalf then they must include your written consent with the application. Legally you must receive a response within 40 days of your application reaching us. There are situations when you may be refused access to some or all of your records, for example, if the information relates to a third party, or if it is considered that the information would cause significant harm to your health.

## Making a complaint

If you wish to make a comment or raise a query about how we handle your personal confidential information you can speak to the Data Protection Lead, or you can make a formal complaint to the Chief Executive Officer. Subsequently if you are dissatisfied with our response, you can make a complaint to the Information Commissioners' Office; further information is available at [www.ico.gov.uk](http://www.ico.gov.uk).

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