**Take Time Service – Data Protection Privacy Notice**

The Take Time service is a multi-disciplinary service which offers counselling, psychotherapy and psychiatric assessment to doctors and dentists in difficulty in training within Health Education England. It is funded by Health Education England, Yorkshire and Humber (HEEYH) and delivered through collaboration between the Medical Psychotherapy Service at Leeds and York Partnership NHS Foundation Trust (“the Trust”) and the University of Leeds Student Counselling and Wellbeing service. (“SCW”)

If you are seen by Leeds and York Partnership NHS Foundation Trust, Leeds and York Partnership NHS Foundation Trust are the accountable Data Controller for information processed by the Take Time service.

Contact addresses are as follows:-

**LYPFT Head Office Data Protection Officer**

2150 Thorpe Park 1st Floor, St Marys House, North Wing
Century Way St Martins View
Leeds LS15 8ZB Leeds LS7 3LA

The Take Time service will collect, store and process information relating to the healthcare services we provide.

The legal basis for this is the Data Protection Act (2018) enactment of GDPR **Article 9, subsection 2(h)**

*“processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3”.*

Information processed will include your personal information to identify you and your contact details and information relating to your care. We will also record information relating to accessibility issues, and Equality & Diversity Monitoring data.

To provide high-quality, effective care that is safe, responsive, timely, and efficient, we will both receive and share relevant and necessary information with other care professionals involved in your care, on the same legal basis.

Although we will process your information under a Duty of Confidence, if we feel that there may be a risk to you or others we may need to share information with other parties. Should this need arise, we would always endeavour to discuss this with you first, although your consent is not required. This may include sharing relevant information with your GP, HEEYH, General Medical Council, General Dental Council, the Occupational Health department in the Trusts where you are employed or are placed, and the Training Programme Directors of the speciality schemes you are working in. Sharing data for these reasons is under a different legal basis which we will provide & discuss with you on request.

The Trust does not process healthcare information outside the United Kingdom.

The Trust will retain and subsequently securely dispose of personal information aligned with the requirements & retention schedules of the [Records Management Code of Practice for Health & Social Care 2016.](https://digital.nhs.uk/media/1158/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016/pdf/Records-management-COP-HSC-2016)

The Data Protection Act (2018) & the EU General Data Protection Regulation gives those who personal information we hold certain rights. These rights are set out and explained below.

* **The right to be informed**

The information in this Privacy Notice should inform you how your information is processed by the Trust.

* **The right of access**

You have a right to make a request to receive a copy of the information we hold about you, however the Trust has a legal obligation to have an appropriate healthcare professional review the information before it is released, to ensure that information likely to cause harm or serious distress to you or anyone else is removed.

* **The right to rectification**

If factual inaccuracies are found and agreed, these will be corrected.

* **The right to erasure**

This right does not apply in all circumstances, and does not apply to information held for healthcare purposes. Service User records are retained according to the requirements of the [Records Management Code of Practice for Health & Social Care 2016.](https://digital.nhs.uk/media/1158/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016/pdf/Records-management-COP-HSC-2016)

* **The right to restrict processing**

This right does not apply in all circumstances. The Trust will record and act upon any restrictions you may wish to place on the sharing of your information – e.g. with family members etc., but will share relevant and necessary information with other care professionals involved in your care, or when this is necessary due to perceived risks as outlined above, or when otherwise required to do so by law.

* **The right to data portability**

This right does not apply in all circumstances. As we do not process healthcare information by automated means or on the basis of consent, it does not apply to healthcare information. We will however respond to Subject Access Requests and provide the information requested in a format of your choice when it is reasonable to do so.

* **The right to object**

This right does not apply in all circumstances. As we process your information on the legal basis provided above, this right does not apply. We will however be honouring choices expressed through the [National Data Opt-Out Programme](https://digital.nhs.uk/services/national-data-opt-out-programme), to prevent use of patient information for planning and research purposes.

* **Rights in relation to automated decision making and profiling.**

No automated decision making or profiling is carried out using your information.

* **The right to lodge a complaint with a supervisory authority.**

If you feel the Trust has failed to uphold any of the above rights, or you have other concerns relating to the handling of your information, you may lodge a complaint with the **Information Commissioner’s Office**. The ICO’s contact details are included below:

**Information Commissioner’s Office**

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 (geographic rate number)

The ICO’s website for raising concerns relating to the handling of personal information is: [**https://ico.org.uk/concerns/handling/**](https://ico.org.uk/concerns/handling/)