

Protecting your Personal information:

**Your rights under
the Data Protection
Act 1998.**

**SECOND
STEP**

PUTTING MENTAL HEALTH FIRST **1**

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About Second Step: We are a mental health charity providing housing, support and hope to thousands of people across the west of England. We employ more than 230 staff with offices in Bristol, Bath and Weston-super-Mare. We have close to 100 volunteers working across our services.

Our support staff work closely with our clients across a number of different services which can be broadly split into three groups - those offering support to people in their own homes, health and wellbeing services such as our Wellbeing Therapies Service in Bristol and finally the Community Rehabilitation Service which we run in partnership with Avon and Wiltshire NHS Partnership Trust and Missing Link, the Bristol-based women's mental health organisation. To find out more about who we are and what we do, take a look at our website www.second-step.co.uk

1. What information do we hold about you?

We hold records of everyone we support and keep a record of every time we have contact with you. These records include information about you - your name and contact details - and also information about your health and circumstances. This will often include details about your personal and medical history and treatment. We also make a record of every time we meet you or contact you via telephone or email.

2. How do we use this information?

We use the information we are given about a person's support and history to help us protect individual rights and to help us make sure people get the support they need.

We may use some information from individual records in our reports about the support we give. But when we do we always make sure your confidentiality is protected. Similarly when asked for statistical information, we would always protect your identity. If any report writing or research did involve you personally, we would always contact you to ask for your permission.

Some of the information we hold is used to check that individual support is being dealt with properly. We will also use some information to make sure that we are doing our job properly. When we make these checks we always try to use your information anonymously.

3. Do we give this information to anyone else?

We have a duty to treat the information we hold about you confidentially. Normally this means that we will not give it to anyone else without your permission.

To make sure that you get the support that meets your needs and respects your rights, our staff might need to discuss your personal information with each other.

Sometimes they might need to raise concerns about your support and bring these to the attention of authorised professionals outside Second Step.

In some cases, we must, by law, pass on information to the Care Quality Commission (CQC) to enable them to exercise their health and social care regulatory function. In all these cases we will only share the information that the person needs in order to promote good code of practice.

In accordance with the Data Protection Order 2000 we may have to pass on information without your explicit consent where there is a substantial public interest in disclosing the data for any of the following purposes:

- for the detection and prevention of crime;
- for the detection of members of the public against malpractice, incompetence, mismanagement, etc;
- to provide confidential counselling and advice where explicit consent cannot be given nor reasonably obtained, or where the processing must be carried out without explicit consent so as not to prejudice that confidential counselling or advice; or
- to undertake research that does not support measures or decisions with respect to any particular person unless the person has explicitly consented and does not cause, nor is likely to cause, substantial damage or substantial distress to the person or any other person.

4. How do we protect your personal information?

To protect your rights, we have a number of policies, procedures and structures in place so as to ensure data protection and confidentiality without compromise. The policies and information sharing code of practice which binds all our staff. Information Governance Policy and Confidentiality and Access to Records policy are two key relevant policies.

We take great care to make sure that personal information is not wrongly used or given out.

We have an appointed 'Caldicott Guardian' whose job is to check how personal information is used and shared and to make sure your right to confidentiality is respected. Second Step has appointed its Director of Services to take on the role of Caldicott Guardian who can be contacted on 0117 909 6372.

5. What rights do you have to know about your personal information?

You have a right to know:

- what kind of information we keep about you
- the reason we are keeping it and how we use it
- who gave us the information
- who might see it

You also have the right to see the information we hold about you, and to have any codes or jargon explained to you.

You can object to us making use of your information, or you can ask us to change or restrict the way we use it. We must agree to do this if we can.

There are a few reasons why we can deny you access to your personal information.

These include:

- giving you health and support information which would be likely to cause serious harm to you, or any other person's physical or mental health or condition
- giving you information which is likely to affect the way a crime is detected or prevented or catching or prosecuting offenders
- someone else can be identified from the information we hold about you, and that person does not agree to their information being given to you
- the information is being held only for research and statistical reasons

If the information we have about you contains personal information about other people, we may need to ask their permission before we can share it with you.

6. How can you get access to your personal information?

Only certain people can apply for access to personal information. **They are:**

- the person the information is about
- someone acting on behalf of the person the information is about. We will need confirmation that they have permission to act for that person
- someone who has been appointed by a Court to act on behalf of the person the information is about
- a welfare guardian or attorney who has rights to request access to personal information

You will need to complete a form requesting access to personal information and you may have to pay a processing fee. The form is often referred to as a "Request for Details of Personal Information Form".

Because it is important that personal information is not wrongly used or given out we also need some proof of identity. **These can include:**

- the signature of someone who knows you and can witness your signature in order to confirm your identity
- copies of two recent utilities bills which have your name and current address.
- a copy of the photograph page of your passport

If you would like help filling in the form, or need it in an alternative format you can telephone our Communications Manager on **0117 909 6630** or send an email to **admin@second-step.co.uk**. The Communications Manager will also be able to give you more information on how we protect personal data.

You should send your completed form to:

**The Communications Manager,
Second Step, 9 Brunswick Square, Bristol BS2 8PE.**

We will deal with your request for information as quickly as we can, and in any event within 40 working days of when we receive your completed form. If we are not able to do this we will tell you the reason and what we are doing about it.

7. What can you do if you're not satisfied with how we've dealt with your request?

If you are not satisfied with the way we have dealt with your request for access to your personal information you can appeal against our decision. Requests for appeal should be sent to:

**The Chief Executive Officer,
Second Step, 9 Brunswick Square, Bristol BS2 8PE.**

If you are unhappy with the result of your appeal then you can make a formal complaint to:

**Information Commissioner's Office,
Wycliffe House, Water Lane, Wilmslow SK9 5AF**

If you would like more information about data protection and your personal information you can visit the UK Information Commissioner's website at: **www.ico.gov.uk**

To discuss the information in this leaflet in more detail, contact your Support Worker or ask to see a copy of our Safeguarding Adults Policy.

You can also find this information online at

www.second-step.co.uk/aboutus

This leaflet can also be made available in Braille, large print or audio on request. Alternatively, we can arrange for someone to explain it to you. Translation is also available for people who require the information in other languages.

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