

## Mental Health and Wellbeing Privacy Notice

If you need this document in an alternative format, please enquire through your Student Portal. Below is some important information we would like you to be aware of. Your clinician will go through this with you at your first appointment. Please feel free to ask any questions.

### 1. Introduction and Data Controller

The University of Northumbria at Newcastle (“we”, “our”, “us”) is registered with the Information Commissioners Office as a Data Controller - Registration Number [Z7674926](#). We are committed to processing personal data in accordance with our obligations under the General Data Protection Regulation (GDPR) and related UK data protection legislation.

This privacy notice describes how and why we process personal data in relation to individuals (“you”, “your”) registering with our Mental Health and Wellbeing Team (MHWT) and explains how you can exercise your rights under the GDPR.

### 2. What Personal Data Do We Process?

To carry out our activities and to manage our relationship with you, support you, maintain contact with you and to provide our services to you, MHWT needs to process the following categories of data:

#### Personal Data:

- Biographical information (e.g., Name, student number and date of birth).
- Contact details (e.g. Address, email and telephone numbers).
- Study related information (e.g. Course, level of study, campus).
- Your GP details.
- Details of any third parties you have consented us to liaise with.

#### Special Category Data

- Data relating to Health (Details of why you are seeking support, any disability, details of support you have had in the past, etc).
- Information about your personal circumstances, racial and ethnic origin, religious or other similar beliefs.

### 3. What Is Our Lawful Basis for Processing?

We process your personal data under several different legal bases, including the following:

- GDPR Art.6 1(c) Compliance with a legal obligation, namely the Equality Act 2010 (and formerly the Disability Discrimination Act).
- GDPR Art.6 1(e) Performance of the University’s public task (the provision of education) and ensuring reasonable adjustments are made where appropriate to

facilitate your education.

- Where necessary, under GDPR Art.9.2 (a) where you have provided your explicit consent for us to process (which you may withdraw at any time).
- Art 9.2.(c) where processing may also be necessary to protect your or another person's vital interests;
- Art 9.2.(h) – for the purposes of the provision of health systems and services.
- Art 9.3. – personal data may be processed under this condition when the data is processed for the purpose referred to in Art.9.3 (h) when the data is processed by or under the responsibility of a professional subject to the obligation of professional secrecy by UK law or by rules established by national competent bodies, which in this case are BACP (British Association for Counselling and Psychotherapy).
- Under section 10(3) and Schedule 1(17) of the Data Protection Act 2018 - processing of special category personal data is necessary for the provision of confidential counselling, advice or support, etc.

#### **4. Where Do We Get Your Personal Data From?**

In order for you to access the services of the MHWT, you will need to complete our registration form on the [Student Portal](#) where you will be asked to provide your personal information. Further information will be generated through your contact with the service, including the production of session notes.

As part of a project to address student mental health in Newcastle, Northumbria University has partnered with mental health services at Cumbria, Northumberland, Tyne and Wear NHS Foundation Trust (CNTW). Information may be shared with your explicit consent by CNTW clinical staff with MHWT to ensure the continuity of safe and qualitative care and treatment for you. Data may also be shared with us by CNTW without your consent only when it is deemed essential to do so in an emergency (vital interests of you or another individual), for example where you are incapable of providing consent, or if there is a lawful basis to do so.

#### **5. How and Why Do We Use Your Personal Data?**

To facilitate your access to Mental Health and Wellbeing services, we process your personal data in order to:

- Register you on our systems and undertake an initial assessment.
- Manage your appointments with our practitioners.
- Record progress and outcomes of the 1-2-1 sessions.

MHWT is also required to produce reports, constructed from the data held by the team. These reports contain anonymous quantitative statistics to inform the department of Student Life and Wellbeing and the University about the work it is doing. Occasionally, other similar reports are provided by the MHWT to others to demonstrate the kind of work the team is engaged in and to inform research, but all data is anonymised.

## 6. How Do We Keep Your Personal Data Secure?

The University adheres to the code of ethics of the British Association of Counsellors and Psychotherapy (BACP).

Access to your personal and sensitive information, including session notes, is limited to members of the Mental Health and Wellbeing Service who 'need to know', for the effective running of the service and the safeguarding of students and others. This means that information is only accessible by staff within the Mental Health and Wellbeing Team, although on rare occasions the system administrator, the Serious Welfare Team and Senior Management may require access.

All contact with the Mental Health and Wellbeing Team is subject to University Regulations. To provide a seamless service to you, other student support services such as Ask4help can see that you have registered with us but they cannot access your session notes or your registration information.

### Accessing your records

- For confirmation of dates/times of appointments please send a message to the Mental Health and Wellbeing Team via your Student Portal.
- While you are a student, you can ask your practitioner or email the team directly to request to view your notes. Email: [as.counsellingandmentalhealth@northumbria.ac.uk](mailto:as.counsellingandmentalhealth@northumbria.ac.uk).
- After you have left the University, you can request them by submitting a subject access request.

## 7. Sharing Your Personal Data with Third Parties

With your consent, we may share some of your personal data with third parties outside of the University such as the NHS/CNTW, your GP/Doctor, or other relevant medical professionals or any parties that you name.

What you tell us remains confidential within our team, however there are rare exceptional circumstances when confidentiality can be broken, for example where obtaining your consent is not possible and we consider sharing the data to be in your vital interests as permitted under GDPR and where it is deemed necessary to do so by a trained health professional.

We may on occasion be required to share information where there is a legal requirement to do so under the exemptions provided under the UK Data Protection Act 2018. Such sharing will only occur after full consideration of your rights and interests by the Data Protection Officer.

These exemptions might include situations in which a person's life is in danger (yours or someone else's), a situation in which there is active or historical child abuse, a serious crime, active terrorism or issues affecting the safe practice of those on professional training courses.

This list is not exhaustive. In one of these rare situations, your practitioner will try to contact you and discuss how the boundaries of confidentiality will be kept or extended if necessary.

## 8. How Long Will Your Personal Data Be Held?

We will retain your personal data for as long as it is required to fulfil the purpose for which it is held and then to fulfil any legal requirements. Details of the retention periods for each type of processing activity is detailed in our retention schedule which is available on our [website](#). This can be summarised as data being held for seven years after your last appointment.

## 9. What Are Your Rights Under GDPR?

GDPR provides individuals a number of rights in relation to the processing of personal data, each of which may apply to differing degrees' dependent upon the nature of the processing and the legal basis for it. You have the right to:

- [Be informed as to how we use your data \(via this privacy notice\)](#).
- [Request access \(a copy\) of the personal information that we hold about you.](#)
- [Correct inaccurate or incomplete data.](#)
- [Request that we stop sending you direct marketing communications.](#)

In certain circumstances, you may also have the right to:

- [Ask to have certain data 'erased' by us.](#)
- [Request that we restrict certain processing of your personal data.](#)
- [Request that we provide any data you submitted to us electronically be returned to you or passed to a third party as a data file.](#)
- [Object to certain processing of your personal data by us.](#)

## 10. Data Protection Officer (DPO) Contact Details

Our Data Protection officer is Duncan James. To exercise your rights, including to request copies of your counselling notes, or if you wish to raise a concern about our processing of your data, please contact the DPO on +44 (0)191 243 7357 or via email at [dp.officer@northumbria.ac.uk](mailto:dp.officer@northumbria.ac.uk).

## 11. Lodging a Complaint with the Information Commissioners Office (ICO)

If you are dissatisfied with our processing of your data, or a response to a complaint you have made to us, you have the right to complain to the ICO via Telephone: 0303 123 1113 (local rate) or 01625 545 745, via email: [casework@ico.org.uk](mailto:casework@ico.org.uk) or for more information see [Information Commissioner's website](#).