



TARGET PSYCHOLOGY LTD

PROVIDING EXPERT WITNESS REPORTS AND ASSESSMENTS

GDPR: DATA PRIVACY NOTICE FOR CLIENTS AND SUPPLIERS

Our Contact Details:

Target Psychology Limited
F13, 67 Europa Business Park
Bird Hall Lane
Cheadle Heath
Stockport
Cheshire
SK3 0XA
Email: maxine@targetpsychology.co.uk (Data Protection Officer)
Telephone: 0161 425 1826

Introduction

Target Psychology Limited are committed to protecting and respecting your privacy. Our ICO Registration Number is: ZA238343.

This policy sets out the basis on which any personal data we collect about you, or that you provide to us on behalf of your client, will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

The rules on processing of personal data are set out in the General Data Protection Regulation (the “GDPR”).

Definitions

Data controller - A controller determines the purposes and means of processing personal data.

Data processor - A processor is responsible for processing personal data on behalf of a controller.

Data subject – A person whose data we process

Categories of data: Personal data and special categories of personal data

Personal data - The GDPR applies to ‘personal data’ meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier (as explained in Article 6 of GDPR). For example name, passport number, home address or private email address. Online identifiers include IP addresses and cookies.

Special categories personal data - The GDPR refers to sensitive personal data as ‘special categories of personal data’ (as explained in Article 9 of GDPR). The special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual. Other examples include racial and ethnic origin, sexual orientation, health data, trade union membership, political opinions, religious or philosophical beliefs, Information provided by the Courts, and other relevant third parties (i.e. assessments by other organisations).

We will obtain your personal data either directly from yourself, the person/organisation making a referral to us or from the Courts. Other organisations such as Local Authorities will also provide us with personal and special categories of data relating to data subjects being assessed or who are relevant to an assessment taking place.

CONTACT US:

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Chartered Psychologists

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www.hpcp-uk.org

Processing - means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Third party - means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

Who are we?

Maxine Taylor of Target Psychology Limited is the Data Protection Officer. Under the authority of Maxine Taylor, Target Psychology Limited decide how your personal data is processed and for what purposes. Our contact details are: Target Psychology Limited, F13 67 Europa Business Park, Bird Hall Lane, Cheadle Heath, Stockport. SK3 0XA. For all data matters contact Maxine Taylor at maxine@targetpsychology.co.uk or telephone 0161 425 1826.

The purpose(s) of processing your personal data

We use your personal data for the following purposes:

With your Consent – where you have given your consent for us to use your data for a specific purpose, for instance in order to undertake an assessment of you/your client.

Performance of a Contract – processing is necessary due to the fulfilment of a contract.

Legal Obligation – processing is necessary in order to comply with the law (i.e. a Court Order for us to undertake an assessment requires the processing of the personal data or relevant individuals).

Vital Interests – when processing your/your client's data is necessary to protect the vital interests of you/your client, or another person.

Public Interest - Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Legitimate Interests - Necessary for the purposes of legitimate interests pursued by the controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.

The personal data we process (why we process it, where it comes from and the legal basis for doing so)

Legal cases

We process the personal data of individuals who are obtaining legal advice or are engaged in a legal dispute, and also the personal data of witnesses and others with links to the issues in the case.

The personal data are generally provided by the person instructing us to undertake an assessment, who is normally a Solicitor or Local Authority Employee (i.e. Social Worker).

We process the data because it is in our **legitimate interests** to do so in the role of providing Expert Witness reports and assessments. We need to see and analyse documents containing this information in order to provide our expert advice. In cases where there is a Court Order, ordering that we undertake an assessment, we have a **legal obligation** to process relevant data in order to comply with the Court Order

In relation to any special category personal data, such as health records or information concerning, race, ethnic origin, or sex is, we rely on the **legal claims basis** for processing this data, in addition to our legitimate interest.

Other personal data

We also process personal data pursuant to our **legitimate interests/performance of a contract** in running our business such as:

- Invoices and receipts
- Accounts, VAT and tax returns
- Insurance policies and related documents
- Business to business marketing

As an employer, we process personal data relating to our employees. This information includes:

- Names, addresses, contact details, Emergency contact details
- Pay and bank details, pay slips;
- CV's Employment Contracts, References, Appraisals;
- Health information

The categories of personal data concerned

With reference to the categories of personal data described in the definitions section, we process the following categories of data:

- Personal data – information which identifies you/your client/your company
- Special categories of data which may include:
 - racial or ethnic origin.
 - political opinions.
 - religious or philosophical beliefs.
 - trade-union membership.
 - health or sex life.
 - unique identity of a person by processing biometric or genetic data.
 - Criminal activities

What is our legal basis for processing personal data?

a) Personal data (article 6 of GDPR)

Our lawful basis for processing your general personal data:

	EXAMPLE
<input type="checkbox"/> Consent of the data subject;	Expressed or Implied by you (i.e. by taking part in an assessment).
<input type="checkbox"/> Processing necessary for the performance of a contract with the data subject or to take steps to enter into a contract	A Letter of Instruction from a Third Party
<input type="checkbox"/> Processing necessary for compliance with a legal obligation	Court Order. By consenting to an assessment ordered by the Court, you agree to comply with the court order and provide all information as ordered by the court which will then be used in this assessment.

<input type="checkbox"/> Processing necessary to protect the vital interests of a data subject or another person	Where, for instance, a client lacks capacity to give consent and processing their data is necessary to protect their vital interests or the interests of another person (i.e. a child).
<input type="checkbox"/> Processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller	A Letter of Instruction or Court Order
<input type="checkbox"/> Processing necessary for the purposes of the legitimate interests of the data controller or a third party, except where such interests are overridden by the interests or fundamental rights or freedoms of the data subject	A Letter of Instruction or Court Order

b) Special categories of personal data (article 9 of GDPR)

Our lawful basis for processing your/your client's special categories of data:

	EXAMPLE
<input type="checkbox"/> Explicit consent of the data subject	Express or Implied (i.e. by taking part in an assessment).
<input type="checkbox"/> Processing necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement	Accounting/HMRC Regulations
<input type="checkbox"/> Processing necessary to protect the vital interests of a data subject or another individual where the data subject is physically or legally incapable of giving consent	Where, for instance, a client lacks capacity to give consent and processing their data is necessary to protect their vital interests or the interests of another person (i.e. a child).
<input type="checkbox"/> Processing necessary for the establishment, exercise or defence of legal claims or where courts are acting in their judicial capacity	Court Order/Letter of Instruction
<input type="checkbox"/> Processing necessary for reasons of substantial public interest on the basis of EU or Member State law	Letter of Instruction
<input type="checkbox"/> Processing necessary for reasons of preventative or occupational medicine, for assessing the working capacity of an employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services on the basis of EU or Member State law or a contract with a health professional	Letter of Instruction/Court Order

<input type="checkbox"/> Processing necessary for the reasons of public interest in the area of public health	Letter of Instruction/Court Order
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More information on lawful processing can be found on the [ICO website](#).

Sharing your personal data

Your personal data/your client's personal data will be treated as strictly confidential, and will be shared only with relevant third parties, such as:-

- Those who have instructed us as an expert witness
- The Court and other parties involved in your/your clients case
- Others, pursuant to the Court Order

Relevant personal data about you/your client will, if required, be shared with external organisations involved in seeking to recover debts that we are owed (i.e. if you do not pay invoices for any work we complete within the terms agreed).

How we store your Personal Data

Your information is securely stored on our cloud-based storage, protected by a variety of technologies and processes, including various forms of encryption.

How long do we keep your personal data?

We keep your personal data for no longer than reasonably necessary for a period of one year following the final hearing/closure (following payment) of a case, in case of any legal claims/complaints, for safeguarding purposes or in case we are requested to complete a further assessment. Invoices are kept for 6 years from the end of the fiscal year, in line with Tax Audit Requirements.

Providing us with your personal data

You are under no statutory or contractual requirement or obligation to provide us with your personal data. But failure to do so may result in us being unable to complete the assessment we have been requested to complete, or render the assessment we complete less comprehensive. As stated above, when consenting to be assessed, you agree to comply with the court order and provide all information as ordered by the court which will then be used in this assessment.

Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:

- The right to request a copy of the personal data which we hold about you;
- The right to request that we correct any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary to retain such data;
- The right to request that we provide you with your personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable i.e. where the processing is based on consent or is necessary for the performance of a contract with the data subject and where the data controller processes the data by automated means);
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;

- The right to object to the processing of personal data, where applicable i.e. where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority); direct marketing and processing for the purposes of scientific/historical research and statistics).

Transfer of Data Abroad

We do not transfer personal data outside the EEA.

Automated Decision Making

We do not use any form of automated decision making in our Business.

Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.

Changes to our privacy policy

We reserve the right to make changes to our privacy policy in the future and, where appropriate, we will notify you (i.e. if we still hold your personal data as an assessment is ongoing or has not reached the retention limit date).

How to make a complaint

To exercise all relevant rights, queries or complaints please in the first instance contact our Data Protection Officer Maxine Taylor at maxine@targetpsychology.co.uk or on Tel: 0161 425 1826.

You can also complain to the Information Commissioners Office if you are unhappy with how we have used your data. Their details are as follows:-

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Helpline number: 0303 123 1113

Email: <https://ico.org.uk/global/contact-us/email/>