



CSEAS

GDPR FAQs

What is GDPR?

The General Data Protection Regulation (GDPR) is a legal framework that sets guidelines for the collection and processing of personal information of individuals within the European Union (EU). It came into force on the 25th May 2018, replacing the existing data protection framework under the EU Data Protection Directive.

The GDPR has general application to the processing of personal data in the EU. It

- sets out more extensive obligations on data controllers and processors
- provides strengthened protections for data subjects (In the CSEAS, data subjects are service users)

Why does the CSEAS require written consent to process your data?

GDPR requires that you give consent to the CSEAS to process your personal and special category data. This allows the CSEAS to demonstrate compliance with GDPR.

What is Personal Data?

Personal data means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person; an identifiable natural person is one... article 4 (1)

What is Special Category Data?

Special Category Data is personal data revealing

- racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- genetic data
- biometric data for the purpose of uniquely identifying a natural person
- data concerning health
- data concerning a natural person's sex life or sexual orientation

What is meant by “processing” personal and special category data in the CSEAS?

When you choose to engage with the CSEAS, processing of your data includes any engagement that you have with the CSEAS such as

- one-to-one sessions
- emails
- texts
- phone calls
- maintaining a record

Can I withdraw my consent?

You are free to withdraw your consent at any time. Please note that if you withdraw consent we will not be in a position to provide further service to you.

Does the CSEAS ever receive my data from a third party?

The CSEAS may receive your data from HR or from your manager in the following situations only:

- Where there is a risk to life e.g. suicidal intent
- Where the referral has been recommended by the Office of the Chief Medical Officer (CMO)

You have a right of access to this data.

Why does the CSEAS process my data?

- To provide you with service
- To take steps to protect your (or another individual's) health, safety and wellbeing
- To comply with any legal reporting obligation
- To meet the controller's legitimate interests as follows:
 - To ensure that the core business of the CSEAS can be delivered effectively
 - To ensure continuity of service to CSEAS service users
 - To provide a context for future consultations with a client
 - To collate statistics for trend analysis (anonymised)
- To enable the support/defence of legal proceedings

Does the CSEAS hold records?

Yes. Data is held in electronic format and are strictly protected. Hard copies of signed consent forms are also retained. All records created and held comply with the provisions of the Freedom of Information Act 2014, Data Protection Acts 1998 – 2018 and the EU General Data Protection Regulation 2016/679 (GDPR).

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- To ensure that the core business of the CSEAS can be delivered effectively
- To ensure continuity of service to CSEAS service users
- To provide a context for future consultations with a client
- To collate statistics for trend analysis (anonymised)
- Protect vital interests of the data subject or of another natural person
- For the purposes of carrying out the legal obligations of the data controller
- For the purposes of establishing, exercising or defending legal claims

Can I request erasure of my record?

Yes however, the CSEAS has a regulatory obligation to retain records for a period of 10 years from the date of last activity on a case, after which the personal information being held will be anonymised with the identifying fields purged.

Approval for the destruction of CSEAS records in all formats, manual and electronic, has been granted by the National Archives in conformity with Section 7 of the National Archives Act 1986.

Does the CSEAS share my data with anyone?

Your data is **not** shared outside of the CSEAS unless:

- you have given your explicit consent for your data to be shared **or**
- one of the exceptions to CSEAS confidentiality apply

Exceptions to confidentiality

- Life-threatening situations to the individual, other parties or the public
- Where there is a statutory responsibility to report
- Where required by a court or legal process to do so
- Where non-disclosure of information could compromise the CSEAS
- Where the CSEAS becomes aware of a breach in criminal law, disclosure may be necessary