



# First Fortnight

## Data Protection and Privacy Policy

***First Fortnight has reviewed and updated this policy to ensure compliance with GDPR on May 1<sup>st</sup> 2018.***

### ***Data Protection Principles***

First Fortnight shall perform its responsibilities under the Data Protection Acts in accordance with eight Data Protection principles. They are:

1. Obtain and process information fairly
2. Keep it only for specified, explicit and lawful purposes
3. Use and disclose data only in ways compatible with these purposes.
4. Keep data safe and secure
5. Keep data accurate, complete and up-to-date
6. Ensure that data is adequate, relevant and not excessive
7. Retain data for no longer than necessary for the purpose(s) for which it is acquired.
8. Give a copy of their personal data to the relevant individual, on request.

### **Collecting information about you**

We collect and use information to provide the following services:

- to gather statistics on the festival attendees
- to provide and operate a Volunteer programme
- to perform Garda Vetting when necessary for staff and volunteers
- to provide a Centre for Creative Therapies
- to undertake advertising, marketing, direct recruitment and public relations exercises
- to provide personnel, payroll and pension administration services
- to update databases within First Fortnight
- to enhance or improve your experience on our Services
- to conduct comprehensive research around the festival and attitudes towards mental health in Ireland to aid our work and help shape Irish and European policies.
- to provide and deliver goods and services to you such as festival tickets or prints
- to enhance or improve your experience on our website and provide you with online services. Each service has different information requirements. Therefore the information we need, and what it is needed for, can differ but the purpose for which it is required is clear and the information is not passed onto a third party.



## ***Responsibility***

First Fortnight requires all employees to comply with the Data Protection Policy. Failure to do so, e.g. unauthorised, inappropriate or excessive disclosure of or obtaining information about individuals, will be regarded as a breach of this policy and will be dealt with in accordance with First Fortnight's Disciplinary Policy. If an employee is in a position to deal with personal information about other employees, he or she will be given separate guidance on his or her obligations, and must ask if he or she is unsure.

First Fortnight is committed to protecting the privacy of users of this website. We are aware that as a user of this website you care about the security and privacy of your information. Any personal information that you volunteer to First Fortnight will be treated with the highest standards of security and confidentiality, strictly in accordance with the Data Protection Act, 1988, as amended by the Data Protection (Amendment) Act, 2003 and GDPR legislation.

1. In order to use this site effectively, you will be asked for information when you register with us. We will require, amongst other things your name and email address. Please note you will not be added onto our mailing list unless you select that particular option. This information will be stored using Mailchimp, a marketing automation platform and an email marketing service which doesn't share your information with any other third party but allows us to send you our newsletter. You can unsubscribe at any time by clicking the link at the foot of the email you receive. Mailchimp are also GDPR compliant.
2. No information provided will be divulged to any other third party save pursuant to clause 4 hereof, unless we receive your prior authorisation and/or we are required to do so by law.
3. We will take reasonable precautions to prevent the loss, misuse or alteration of information you give us. Agents or contractors of First Fortnight who have access to information you give us in the course of providing services to us are required to keep that information confidential and are not permitted to use it for any purpose other than to carry out the services which they are performing for us.

This includes Ticketsolve for all ticketing transactions. Ticketsolve acts as a data processor on behalf of First Fortnight (data controller). Ticketsolve and First Fortnight have implemented appropriate technological measures to protect against accidental loss, destruction, damage, alteration or disclosure. Please note First Fortnight does not have access to or store any credit card details. Any ticket lists or customer ticket stubs from events will be stored in a locked location and shredded immediately after the festival to protect the data and privacy of our customers.

This website uses Google Analytics, a web analytics service provided by Google. Google Analytics uses 'cookies', which are text files placed on your computer, to help the website analyze how users use the site. The information generated by the cookie about your use of the website (including your IP address) will be transmitted to and stored by Google on servers in the United States. Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage. Google may also transfer



this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf. Google will not associate your IP address with any other data held by Google. You may refuse the use of cookies by selecting the appropriate settings on your browser, however please note that if you do this you may not be able to use the full functionality of this website. By using this website, you consent to the processing of data about you by Google in the manner and for the purposes set out above.

4. You accept that any information or message you send to the site may be intercepted or read by others. You hereby acknowledge and accept that we have no responsibility and shall accept no liability whatsoever for loss, injury or damage occasioned by the interception by third parties of your transmissions, or the disclosure of information, nor do we offer any guarantees, warranties or indemnities as to the security or otherwise of any information which you give us.

5. The website contains links to other sites not controlled or operated by First Fortnight and we are not responsible for the privacy policies of websites that it does not control or operate.

6. This website uses the Google AdWords remarketing service to advertise on third party websites (including Google) to previous visitors to our site. It could mean that we advertise to previous visitors who haven't completed a task on our site, for example using the contact form to make an enquiry. This could be in the form of an advertisement on the Google search results page, or a site in the Google Display Network. Third-party vendors, including Google, use cookies to serve ads based on someone's past visits to the First Fortnight website. Of course, any data collected will be used in accordance with our own privacy policy and Google's privacy policy.

You can set preferences for how Google advertises to you using the [Google Ad Preferences page](#), and if you want you can [opt out of interest-based advertising entirely by cookie settings](#) or [permanently using a browser plugin](#).

7. If you have given us information about yourself and would like copies of that information, or you would like us to correct any factual inaccuracies in that information, or if you would like that information deleted from our records, then please contact the Data Protection Officer at [edel@firstfortnight.ie](mailto:edel@firstfortnight.ie). We will use reasonable efforts to supply, correct or delete information about you on our files.

8. If you choose to visit this site and use this site, your visit and use and any dispute arising there from in respect of privacy, is subject to this Privacy Policy and our Terms and Conditions of Use including the limitations and the exclusions expressed and included therein.

9. If a data breach occurs, First Fortnight will notify their Data Protection Officer who will contact the Data Protection Commissioner within 72 hours of the breach. The Data Protection Officer will also notify anyone affected by this breach, investigate the impact of and how the breach occurred and take steps to prevent this from occurring again.

10. This Privacy Policy will be the subject of change and the use of information that we gather shall be subject to the privacy notice in effect from time to time. It shall be your responsibility to check our website frequently to see recent changes.



# First Fortnight Centre for Creative Therapies (CFCT)



- ## 4. Data Protection Principles

- a. Obtain and process information fairly. Taking and keeping records, computerised or written, is an essential and integral part of the care of the client.
- b. Keep it only for specified, explicit and lawful purposes. Clients must be informed of the purpose of the collection of information by workers.
- c. Use and disclose data only in ways compatible with these purposes. Any document which records any aspects of the clients care can be required as evidence before a court of law. All records may be requested for inspection if any of the exclusions to confidentiality are activated.
- d. Keep data safe and secure. All information pertaining to clients is to be kept secure and confidential at all times.



- e. Keep data accurate, complete and up-to-date. Records should provide objective, accurate, current, comprehensive and concise information concerning the condition of the client.
- f. Ensure that data is adequate, relevant and not excessive.
- g. Retain data for no longer than necessary for the purpose(s) for which it is acquired.
- h. Give a copy of his/ her personal data to the relevant individual, on request.

## **5. Roles and Responsibilities**

- First Fortnight CFCT requires all employees to comply with the Data Protection Policy. Failure to do so, e.g. unauthorised, inappropriate or excessive disclosure of or obtaining information about individuals, will be regarded as a breach of this policy and will be dealt with in accordance with First Fortnight's Disciplinary Policy. If an employee is in a position to deal with personal information about other employees, he or she will be given separate guidance on his or her obligations and must ask if he or she is unsure.

## **6. Types of Records**

- First Fortnight CFCT may collect the following for the client file:
- Client referral form including Personal Details i.e. Next of Kin, Medication, address, contact number.
- Correspondence on behalf of or about clients
- Client artwork and photographic images of client artwork
- Evaluation measures with client responses.
- End reports.



## 7. Written Record

- All data/information communications with or about the client received by phone/fax/ post /email should be recorded in the notes.
- All records should be kept in a locked file, with the key being held only by relevant members of the project team.
- All records should be written legibly and indelibly. Records should be clear, unambiguous and accurate including the date (Day/Month/Year), and the printed name and signature of the person completing the record.
- Changes or errors are corrected by scoring out with a single line followed by the initialed and dated correct entry. Further changes do not require a printed name. The use of correction fluid is not permitted.
- Records should not include abbreviations, jargon, irrelevant speculation and offensive statements, subjective statements. If for any reason a more subjective statement needs to be made, the recorder should acknowledge this as a subjective opinion. All records should be written in a way that the client is able to understand.
- Records must be objective and factual and describe what is observed. If an incident has not been observed, but is relevant to service user care, then it must be clearly stated i.e. service user reports.
- Records should include only essential and relevant details.
- A clear record of all therapy sessions, and communications concerning the client must be maintained for:
  - continuity of treatment
  - clarity of thinking
  - analysis of process and content
  - presentation for supervision





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- All requests for access to service user information will be dealt with in relation to the FOI 1997 & 2003 and Data Protection Acts 1988 & 2003.
- Clients have the right to know why information is being collected about them, and who it will be shared with. Consent to share information with the multidisciplinary team and GP must be obtained. Clients must be made aware that members of the multidisciplinary team may access some or all of their case file including ending reports.
- They also have a right to access their records. First Fortnight recognises its legal obligations to supply a description of the requested information to the service user within 21 days of receiving a written request, and a copy of the documentation within a month of receiving a written request. First Fortnight recognises the exceptions to the right of access.

## **12.Storage of Art work**

- Client art work is stored by the Centre for Creative therapies for the duration of the therapy with the client.
- Client art work must be stored confidentially in a locked cupboard while it is in the care of the organisation.
- Images left by clients after therapy ends do not need to be stored or kept by the therapist or the organisation - this is because images produced in art therapy do not have a definite and fixed meaning and cannot be an admissible item of evidence in court. When the art therapy ends, the art works can be disposed of in the same way as any confidential material (shredding, etc.). However clients must be notified of this or given a specified timeframe in which they can return to collect artwork before it is confidentially disposed of.



### 13. Record Retention

- Precautions should be taken to protect written copies from damages due to fire, and water.

Precautions should be made for all electronic data to protect it against electronic viruses or technical failure.

The Data Protection Acts require that personal information and records of all types held by First Fortnight should be retained for no longer than is necessary for the purpose or purposes for which it was obtained.

Records are kept for a minimum of 8 years after the client terminates therapy. Some types of documentation may need to be kept for longer under legal specification. Guidelines for the retention of records can depend on current legislation and health services policy statements. Current Irish law gives the following retention times:

Healthcare records of an adult - eight years after last treatment or death.

Records of a mentally disordered patient - 20 years after last treatment or eight years after death.

Care will be taken to ensure that records are disposed of correctly. Where possible, old records will be shredded.