



## User Privacy and Confidentiality Statement Oxfordshire Mind Text Service

Last updated 5<sup>th</sup> February 2021

### INTRODUCTION

At Oxfordshire Mind, our goal is to help people to have somewhere to turn to in the event of a mental health issue. The information service workers are here to help you by signposting to the most appropriate services for your needs at the time of presentation. Our organisation is called Oxfordshire Mind and we are a registered charity in England number 261476.

Importantly, when you message us, we aim to create a “safe space” in which you feel able to discuss your issues around wellbeing and mental health. All our staff are trained in offering you the most appropriate support at the time of texting and suggesting signposting options so you can take ownership of your wellbeing and be proactive in finding possible solutions to current issues yourself.

### PRIVACY

Your privacy and the security of information about you are very important to us. Our privacy and security guidelines apply to all Oxfordshire Mind employees and Volunteers and we take these privacy safeguards very seriously.

When you send a message to the Oxfordshire Mind Text Service to initiate a text message conversation, you will receive an automated reply message asking for your consent to store your data.

### TERMS OF SERVICE

Our Terms of Service explain our service and set out the ground-rules for using it. Before using or accessing the service we provide (the “Service”), please read the Terms of Service

(the “Terms”). The Terms govern your access and use of the Service. You may contact the Oxfordshire Mind Text Service by e-mail at [text@oxfordshiremind.org.uk](mailto:text@oxfordshiremind.org.uk) if you have any questions about them. If you do not agree to the Terms you may not use the Service. If you no longer wish to receive messages, you may opt out at any time by texting the word STOP.

## **CHANGES TO THE TERMS**

The Terms may be changed from time to time. The most up-to-date Terms will always be the ones that are posted on our website here. If we decide to make any changes which affect how we use your personal information you will be informed by text message.

The first time that you send a message to the Oxfordshire Mind Text Service to initiate a text message conversation, you will receive some automated reply messages with a link to our current Terms, so you may review them before continuing to use our Service. By using our Service after receiving those automated messages, you agree to the practices outlined in the current Terms.

We may contact you from time to time in order to help you access services from Oxfordshire Mind.

The Privacy Policy, which you can find on our website here:

<https://www.oxfordshiremind.org.uk/privacy-policy/> will inform you if, when and to whom we disclose your information; it will explain your Data Protection Act and General Data Protection Regulation (“GDPR”) rights relating to this information and what choices you have in how we use that information.

Before using the Service, please read the following:

## **COLLECTION AND USE OF YOUR PERSONAL DATA**

When you first message us we will have access to your mobile telephone number. We will retain this as we need it to enter into a conversation with you and provide you with our service.

## **WHAT PERSONAL AND SPECIAL CATEGORY DATA WE COLLECT**

All of the text messages that you send us are stored securely. Apart from your telephone number, we do not routinely collect any other personally identifying data from you. In order to make the conversation between you and our staff flow more smoothly you may wish to provide us with your name. If during the course of the text conversation it is felt that an “Options” appointment with one of our wellbeing workers would be appropriate then at this stage we would take specific ID details such as D.O.B. and the post code of your address.

#### **LOCATION DATA**

If you message us, we do not automatically know where you are. There are occasions when we may ask you to give us your location. You are not under any obligation to give it to us. We will only ever ask for it if we feel that we need it to help you.

#### **HOW WE USE YOUR PERSONAL AND SENSITIVE DATA**

We keep a record of the telephone number that you contacted us from. We use your telephone number to identify you. We also keep the text messages sent between you and Oxfordshire Mind staff.

We keep the text messages for internal purposes such as auditing, data analysis and research to improve the service that we provide; additionally, we use anonymised data that is produced to conduct an analysis of the trends that are occurring within our conversations. In addition, we keep a record on our internal database of text conversations including name and contact details and any signposting and advice that has been given so that other Oxfordshire Mind workers can support you if needed.

#### **COLLECTION AND USE OF DATA THAT IS NEITHER PERSONAL NOR SENSITIVE**

We also collect data that is neither personal nor special category; that is, data that cannot be directly used to identify or contact you. We may collect, use, transfer, and disclose this type of data for any purpose, including but not limited to improving services, disclosing to third parties to generate support for Oxfordshire Mind, or as required by law.

Below are examples of data that is neither personal nor sensitive, that we collect and how we may use it:

- We may use anonymised information such as age, gender, language, and the time of our conversation to better understand user behaviour and improve our service.
- We also may collect information regarding usage of the Oxfordshire Mind Text service, such as the conversation volume, average length of conversation, and other data. This information is used to help us conduct internal research, so we can improve the quality of our service.

## **CONFIDENTIALITY AND DISCLOSURE TO THIRD PARTIES**

The Oxfordshire Mind Text Service respects and seeks to preserve the confidentiality of people who use our service. This confidentiality is based on the common law ‘duty of confidence’ and is shared between you, the service user and Oxfordshire Mind. Our staff and Volunteers also have an obligation of confidentiality. They will only use and disclose any information provided to them within the rules set by Oxfordshire Mind. No identifying information or discussion between you and the service is disclosed to an external third party except in the exceptional circumstances outlined below.

We will always endeavour to get your consent before we contact a third party but there are situations, described below, where we will pass on information without consent. If we deem that the situation is safe for you, we will work with you in making decisions about involving a third party. We will only share information with people or entities when the law allows us to do so.

We will always think carefully about whether we need to break confidentiality. This is especially important if you are a young person, aged under 18. We will choose to break confidentiality and engage with a third party in the following circumstances:

- You ask us to;
- We believe that your life or someone else’s life is in imminent danger;
- You are a young person, aged under 18, who is being hurt, abused or neglected;
- You tell us that you are endangering the safety of another person.

In the above situations we would suspend the text messaging and call your number.

We are also unable to provide confidentiality in the following circumstances:

- A message sent to or through The Oxfordshire Mind Text Service contains specific information about a terrorist suspect or terrorist activity that will take place or has taken place in the world. This information must immediately be disclosed to the police;
- The Oxfordshire Mind Text Service is forced through legal action to disclose specific confidential information; this can include legal action taken under the Data Protection Act and during criminal investigations.

## **EXTERNAL SIGNPOSTING**

Often, we will signpost you to another service. We will give you information to help you contact them, but we will NOT give them your contact information. It is up to you if you want to follow our signpost to their service. If you would like to receive support from other services, please note that different rules may apply to their use or disclosure of Personal and Special Category Data. We do not control the privacy policies of other services.

## **RETENTION OF INFORMATION**

We retain and store two different types of data after our conversation with you. Your Personal and Special Category Data, that is your telephone number and the record of all the text messages that you exchange with us, will be stored for up to 6 years after you last contact with us. Once this time has passed we will permanently delete this data from our records. If you contact us again after this time, you will appear to be a new service user. We will not have any record of our previous conversations with you.

## **HOW WE PROTECT YOUR PERSONAL AND SENSITIVE DATA**

We take the protection of your data very seriously. We take administrative, technical, and physical measures, to protect your Personal and Sensitive data from loss, theft, misuse, unauthorised access, disclosure, alteration, and destruction. We store all information on servers within the UK and we only permit approved employees and volunteers to access those servers.

Although we believe we take appropriate measures to safeguard against unauthorised disclosures of information, we cannot assure you that your Personal and Sensitive Data or

communications with Oxfordshire Mind will never be disclosed in a manner inconsistent with this service document, however we cannot guarantee that our security is robust enough to prevent unauthorised access or interception by third parties.

#### **YOUR RIGHTS REGARDING YOUR PERSONAL AND SENSITIVE DATA**

You have the right to access the information that we hold about you in accordance with the Data Protection Act 1998. We will usually provide this information within one month. Please contact us to request access to your information on [dataprotection@oxfordshiremind.org.uk](mailto:dataprotection@oxfordshiremind.org.uk)

#### **OTHER INFORMATION**

If you would like us to correct or update any information, please contact us.

[compliance@oxfordshiremind.org.uk](mailto:compliance@oxfordshiremind.org.uk)

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