

# Privacy Policy for Shrinkwork

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Shrinkwork treats the privacy of its clients very seriously and we take appropriate measures to guard your privacy. This policy explains how we protect and manage any personal data you share with us and that we hold about you, including how we collect, process, protect and share that data.

Personal data means any information that may be used to identify an individual, including, but not limited to, a first and last name, a home or other physical address and an email address or other contact information, whether at work or home.

## How we obtain your personal data

### Information we get from other sources

We receive information about you from the legal team instructing us, which may be your solicitor or legal representative, or an agency/advisor employed by your solicitor, or your defendant's legal team. This information includes your name and address, mobile number, e-mail address, date of birth etc and details of your claim. You will have submitted your personal data to the legal team instructing us and specifically given permission to allow them to pass this information to us for the purpose of arranging an appointment and completing an independent psychiatric report.

We also receive medical, psychiatric and other records, obtained by the instructing legal team with your consent, and passed to us either electronically or through the post as DVDs or paper records.

### Information provided by you

We obtain sensitive medical information directly from you or the instructing legal team in relation to your claim, for the purpose of completing an independent psychiatric report. This report is sent to the legal team instructing us. We do not send the information to anyone else.

You may provide personal data to assist in arranging the appointment or to allow us to collect payments. The provision of this personal data is essential in order for the instructing legal teams to verify your identity and correctly allocate the report to your case. You will be asked for identification when you attend: we put those details into the report but do not keep copies of this identification.

## How we use your personal data

We use your personal data to arrange appointments, liaise with the legal team, complete an independent psychiatric report and collect payments from the instructing legal team. We act as both processor and controller in this regard. We undertake at all times to protect your personal data, including any health details, in a manner which is consistent with a medical practitioner's duty of professional confidence and the requirements of the General Data Protection Regulation (GDPR) concerning data protection. We will also take reasonable security measures to protect your personal data in storage.

## Do we use your personal data for marketing purposes?

No.

## Information about cookies.

A Cookie is a small text file stored on your browser, for example Internet Explorer. If you visit the Shrinkwork website, we do not directly set cookies on your computer, but we do use Google Analytics to gather general information about visitors to our site ... things like which country they are from, which pages they view, whether they have visited before, etc. Google Analytics uses a small number of cookies to achieve this task. For further details please go to [www.shrinkwork.co.uk/cookies.php](http://www.shrinkwork.co.uk/cookies.php)

## Sharing information

We will keep information about you confidential. We will not share your personal information outside Shrinkwork. We may need to allow your information to be seen by Shrinkwork employees for audit and compliance monitoring. We will only disclose your information to third parties with your express consent with the exception of the following categories of third parties:

### Categories of third parties

- Regulatory authorities to comply with any legal and regulatory issues and disclosures.
- Independent investigators for the purpose of investigating a complaint.
- Any legal or crime prevention agencies and/or to satisfy any regulatory requests (including by the General Medical Council) if we have a duty to do so or if the law allows us to do so.

## Transfer of your personal data outside of the European Economic Area (EEA)

We do not transfer your personal data outside the EEA

## How long will we keep this information about you?

We keep information in order to assist your/the defendant's legal team to manage your claim. Once the claim has been settled, medical and other records will be destroyed. Personal data will be kept in line with our legal, statutory and regulatory obligations, which can vary from one piece of information to the next. Hand-written notes for medico-legal cases have to be kept for up to 10 years from settlement of the claim. In all cases, our need to use your personal information will be reassessed on a regular basis and information which is no longer required will be securely disposed of.

## Data subject rights

### Subject access requests

The General Data Protection Regulation (GDPR) grants you (the "data subject") the rights to access particular personal data that we hold about you. This is referred to as a subject access request. We shall respond promptly, and certainly within one month from receiving the request and all necessary information from you. Our formal response shall include details of the personal data we hold about you including the following:

- Sources from which we acquired the information
- The purposes for processing the information and
- Persons or entities with whom we are sharing the information.

## **Right to rectification**

You, the data subject, shall have the right to obtain from us, without undue delay, the rectification of inaccurate personal data we hold concerning you. Taking into account the purposes of the processing, you, the data subject, shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

## **Right to erasure**

You, the data subject, shall have the right to obtain from us the erasure of personal data concerning you without undue delay.

## **Right to restriction of processing**

Subject to exemptions, you, the data subject, shall have the right to obtain from us restriction of processing where one of the following applies:

- the accuracy of the personal data is contested by you, the data subject, and is restricted until the accuracy of the data has been verified;
- the processing is unlawful and you, the data subject, oppose the erasure of the personal data and instead request the restriction in its use;
- we no longer need the personal data for the purposes of processing, but it is required by you, the data subject, for the establishment, exercise or defence of legal claims;
- you, the data subject, have objected to processing of your personal data pending the verification of whether there are legitimate grounds for us to override these objections.

## **Notification obligation regarding rectification or erasure of personal data or restriction of processing**

We shall communicate any rectification or erasure of personal data or restriction of processing as described above to each recipient to whom the personal data has been disclosed, unless this proves impossible or involves disproportionate effort. We shall provide you, the data subject, with information about those recipients if you request it.

## **Right to data portability**

You, the data subject, shall have the right to receive your personal data, which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit this data to another controller, without hindrance from us.

## **Right to object**

You, the data subject, shall have the right to object, on grounds relating to your particular situation, at any time to the processing of personal data concerning you, including any personal profiling; unless this relates to processing that is necessary for the performance of a task carried out in the public interest or an exercise of official authority vested in us. We shall no longer process the personal data unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of you, the data subject, or for the establishment exercise or defence of legal claims.

## **Right to not be subject to decisions based solely on automated processing**

We do not carry out any automated processing, which may lead to automated decision based on your personal data.

## Invoking your rights

If you would like to invoke any of the above data subject rights with us please write to Shrinkwork, 1 Lawson Terrace, Knutton, Newcastle-under-Lyme, Staffordshire, ST5 6DS or email [admin@shrinkwork.co.uk](mailto:admin@shrinkwork.co.uk)

## Accuracy of information

In order to provide the highest level of client service possible, we need to keep accurate personal data about you. We take reasonable steps to ensure the accuracy of any personal data or sensitive information we obtain. We ensure that the source of any personal data or sensitive information is clear and we carefully consider any challenges to the accuracy of the information. We also consider when it is necessary to update the information, such as name or address changes and you can help us by informing us of these changes when they occur.

## Important information

### Questions and queries

If you have any questions or queries which are not answered by the Privacy Policy, or have any potential concerns about how we may use the personal data we hold, please write to Shrinkwork, 1 Lawson Terrace, Knutton, Newcastle-under-Lyme, Staffordshire, ST5 6DS or email [admin@shrinkwork.co.uk](mailto:admin@shrinkwork.co.uk)

### Policy changes

This Privacy Policy is regularly reviewed. This is to make sure that we continue to meet the highest standards and to protect your privacy. We reserve the right, at all time, to update, modify or amend this policy. We suggest that you review this Privacy Policy from time to time to ensure you are aware of any changes we may have made, however, we will not significantly change how we use information you have already given us without your prior agreement.

### If you have a complaint

If you have a complaint regarding the use of your personal data or sensitive information then please contact us by writing to Dr Lesley Haines, at Shrinkwork, 1 Lawson Terrace, Knutton, Newcastle-under-Lyme, Staffordshire, ST5 6DS or email [admin@shrinkwork.co.uk](mailto:admin@shrinkwork.co.uk) and we will do our best to help you.

If your complaint is not resolved to your satisfaction and you wish to make a formal complaint to the Information Commissioner's Office (ICO), you can contact them on 01625 545745 or 0303 123 1113. You also have the right to judicial remedy against a legally binding decision of the ICO where you consider that your rights under this regulation have been infringed as a result of the processing of your personal data. You have the right to appoint a third party to lodge the complaint on your behalf and exercise your right to seek compensation.