



## Privacy Notice– Formulate Psychology LLP

1. Dr Simon Bird provides expert witness services under the umbrella of Formulate Psychology LLP. This privacy notice provides information about the personal information we process about you as a data controller, in compliance with the General Data Protection Regulation (GDPR).
2. Our ICO registration number is ZA557063.
3. Please contact Dr Simon Bird at [office@formulate.org.uk](mailto:office@formulate.org.uk) with any questions or requests about the personal information we process.

### Your rights

4. We are committed to protecting your rights to privacy. They include:
  - Right to be informed about what we do with your personal data;
  - Right to have a copy of all the personal information we process about you;
  - Right to rectification of any inaccurate data we process,
  - Right to add to the information we hold about you if it is incomplete, subject to the legal guidelines operated by the Courts and lead legal professionals when deciding on the contents of Court bundles;
  - Right to be forgotten and your personal data destroyed once it is no longer required;
  - Right to restrict the processing of your personal data, within the confines of the processes operating within legal proceedings;
  - Right to object to the processing we carry out based on our legitimate interest;

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

#### *Legal cases*

5. 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.
6. The personal data may include:



- Names, contact details and dates of birth;
  - Health information;
  - Information about race, ethnic origin and sex;
  - Records, observations and professional reports arising from Local Authority involvement
  - Legal documentation arising from care proceedings and / or private law proceedings
7. The personal data are generally provided by the person instructing us in relation to the legal issues, who is usually a solicitor.
8. **We process the data because it is in our legitimate interests as an expert witness to do so.** We need to see and analyse documents containing this information in order to provide our expert advice.
9. 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.
10. In some cases, an individual has *consented* to the transfer of their personal data to us, e.g. where they independently supply medical records for the purposes of an assessment. Where an individual has consented in this way, he or she may easily withdraw it by notifying Dr Simon Bird at [office@formulate.org.uk](mailto:office@formulate.org.uk).

#### *Other personal data*

11. During assessment by Dr Bird you will undertake interviews and you may also complete questionnaires. Dr Bird will make notes during these interviews and may sometimes make an audio recording to assist his notetaking, with your consent. These records can be requested if they are not included in the final assessment report, provided that they have not already been destroyed in accordance with the procedures below.

#### *Retention period*

12. Personal data in legal cases is destroyed on the conclusion of the case. This includes medical records and any documentation provided by the lead solicitor for the purposes of completing the assessment. Dr Bird will also destroy any video or audio recordings at this point. Dr Bird's report and the supporting materials (interview notes, questionnaires) will be retained for six years and then destroyed. The



reports are the property of the Court however and may still be retained within by legal professionals in accordance with their own data protection guidelines.

*Whom do we share personal data with?*

13. We share personal data internally strictly on a need to know basis.
14. Special category data such as medical records held electronically are encrypted with restricted access. Hard copy special category and other personal data is stored securely with restricted access.
15. We do not share personal data with anyone external to the organisation, other than with:
  - Those who have instructed us as an expert witness
  - Document destruction services e.g. GDPR-compliant confidential shredders
  - With others pursuant to a court order

Information Commissioner' s Office

16. If you have any concerns about the way your personal information has been processed, please contact Dr Simon Bird as above. Alternatively, you may contact the Information Commissioner' s Office on 0303 123 1113.