



POLICY TITLE: RECORDS MANAGEMENT & PRIVACY POLICY

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POLICY OWNER:	Dr Clare Fenton Mr Peter Fenton
RESPONSIBLE SIGNATORY:	Dr Clare Fenton – Medical Director Mr Peter Fenton – Administrative Manager

EQUALITY AND DIVERSITY STATEMENT

The Amber Tree Clinic LTD is committed to the fair treatment of all in line with the Equality Act 2010. An equality impact assessment has been completed on this policy to ensure that it can be implemented consistently regardless of any protected characteristics, and all will be treated with dignity and respect.

To ensure that this policy is relevant and up to date, comments and suggestions for additions or amendments are sought from users of this document. To contribute towards the process of review, email admin@theambertree.co.uk

Amendment Record

Version	Amendment	Reason
V2	Changed the Secure Email service used to send secure documents to patients. Also updated name to include the word privacy.	Moved from egress to canary mail, due to it being a more user-friendly service and integrated into our email system, while maintaining the security and GDPR Egress had. Added privacy to clarify the purpose of the document.
V3	Introduced Single point of contact email address, Full encryption for emails and reports sent to patients and other Professionals.	Increase our resilience to GDPR Breaches and maximise the privacy of our patients information beyond the guidelines.
V4	Include and clarify Data Breach Process.	Was a bit vague and on the governance policy but not this one.

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1. Policy Statement

This policy sets out the statutory requirements that apply to The Amber Tree Clinic LTD (The Amber Tree) to ensure that you are fully aware of how your personal information (data) is collected and managed.

In this policy, personal information will be referred to as data, and is anything that may be used to identify you as an individual. This also includes personal details about your conditions, treatments and any other details required for your medical care.

The Amber Tree Clinic LTD is fully compliant with the legal framework of the Data Protection Act (DPA 2018) and the UK General Data Protection Regulation (UK GDPR). It is also registered with the Information Commissioner's Office (ICO).

2. Your Information.

2.1 What data do we store?

In order to best support our patients, the Amber Tree keeps the following information:-

- **Personal Information.**
 - Your name.
 - Date of birth.
 - Home address.
 - Telephone number.
 - Email address.
 - Parent's or carer's name(s).
 - Parent's or carer's telephone numbers.
 - Parent's or carer's email address.
- **Other People or institutions who work with you (past and Present).**
 - School/College.
 - GP.
 - Social Worker.
 - Paediatrician.
 - NHS CAMHS worker.
- **Information about appointments.**
 - Date.
 - Time.
 - Place.
 - Nature of appointment (eg assessment or treatment).
- **Information about your condition.**
 - Current symptoms/ difficulties.
 - Background history.
 - Previous treatments and diagnoses.
- **Results of any relevant assessments.**
 - Carried out by ourselves.
 - Carried out by professional partners.
 - Includes relevant physical examinations or test results.
- **Notes and letters from your clinical contact with The Amber Tree.**
- **Copies of your Care Plan.**

In addition to this, we are eager to collect your feedback about our services, both during and after treatment. In addition, you may be asked to take part in an ongoing advisory research group to help devise future CAMHS treatments and provide feedback about the current methods used in CAMHS. This will be purely voluntary and anonymised and will not be used

in direct reference to you or your treatment. It will not count against your treatment in any way.

2.2 How do we collect data?

Some of the information we have mentioned will be collected before your initial assessment, and will either come from yourself, your parents/carers, your GP or other professional bodies.

Any additional information we require will be collected during your initial assessment or through treatment reviews.

Session notes, letters, care plans, assessments and clinic reports will be generated during the course of your time with the amber tree.

2.3 Why do we store this data?

Under the **Provision of health care (GDPR Article 9)**, the lawful reasons to store and process your data are:-

- Your Consent
 - You can remove this consent at any time by contacting our data protection officer at admin@theambertree.co.uk.
- When we have a legal obligation.
- When we have a legitimate interest.

Much of the personal information stored by The Amber Tree, is simply to allow direct communication with our patients. This would include Phone numbers, email addresses and addresses.

Other information, such as date of birth and names are simply to allow us to differentiate parents from each other and maintain the basic knowledge needed to interact effectively with our patients.

Personal medical information including previous conditions, current health, assessments, care plans, etc, are all kept to allow us to diagnose and form effective care plans.

Information about other professional bodies involved in your care is required to allow us to effectively manage your condition and avoid any miscommunication of confusion about your care plan.

2.4 How do we store your information?

The Amber Tree Clinic LTD stores your clinical and personal information using a secure electronic patient record system called Cliniko. This is a market-leading secure cloud-based system that uses 2-factor authentication for additional security.

We maintain a paperless work environment, so any forms or documents you may fill in will be scanned into your electronic patient record and the physical copy securely destroyed.

We advise against sharing sensitive information via standard email, but any electronic communication which includes sensitive information, such as medical records, will be uploaded to your electronic patient record and the original will be deleted.

Where letters need to be sent or sensitive information shared electronically, The Amber Tree uses the secure messaging. This system sends encrypted messages between two people (generally your medical practitioner and yourself/parents/carers) and destroys messages after a set time scale.

Access to all electronic systems is on password-protected electronic devices.

No personal information of any kind is stored on portable USB devices or in a paper format.

2.5 Single email Point of Contact

Due to the increased risk of data breaches from multiple email addresses being used in reference to a single patient unless otherwise requested, we require parents to provide us with a single point of contact email address. This will be the address we use to send encrypted messages and is the address you should use with canary mail.

2.6 Fully Encrypted Email System

We make use of encryption for emails containing more than one point of personal information (i.e. full name and AND d.o.b.) to prevent any data breaches that could occur with the use of unencrypted email.

2.7 Encrypted Medical Reports

Medical reports sent to parents and other professional bodies will all be encrypted and password-protected. The password will be included in the secure email when the report is sent to the patient. This will mean that if the report is downloaded to a device and is no longer encrypted having a password on the pdf ensures that the report remains secure.

2.8 Who can access your data?

Access to your personal contact and any financial information is restricted to the clinics administrator (Mr Peter Fenton) and the Medical Practitioner (Dr Clare Fenton). Access to all personal medical information is restricted to the Medical Practitioner (Dr Clare Fenton). Both administrator and medical professional are bound by this Information Governance Policy, and the Data Protection Officer (Mr Peter Fenton) is responsible for ensuring that all your information is kept securely and confidentially.

2.9 Who do we share your information with?

At The Amber Tree, we are committed to not sharing your data with any third parties for marketing purposes.

Any sharing of your personal or medical data with external bodies would only be with your permission and only if it benefited your treatment or was required by your agreed care plan.

It is important that The Amber Tree can share information with your GP so that a single medical record can be maintained in the NHS, to allow effective future treatment and diagnosis. This data will be kept under the standard NHS data protection policy as well as the individual GP Practices data protection policy. Any information we share with your GP will again

be with your consent and will be communicated via the secure messaging platform Canary Mail.

It is possible that The Amber Tree will be required due to a legal obligation to share your data without your explicit consent. This would only be if it was decided by our Safeguarding Officer (Dr Clare Fenton) that it was needed to avoid serious harm to yourself and/or others. All professional bodies have a legal responsibility to share information with the relevant services to safeguard people from serious harm. This will be explained to you at your initial appointment.

2.10 How do we keep our records up to date?

It is important that we keep up-to-date personal information about you and your parents/carers. If any of this information changes, such as new contact information, please let us know as soon as possible and we will update our records accordingly.

2.11 How long do we store your data for?

The Amber Tree has a legal responsibility to keep clinical records about a child until at least their 25th birthday or 26th if they were 17 when they were discharged.

In addition, we have a legal responsibility to keep clinical records for 20 years after you have been discharged from our service, or 8 years after your death.

In practice this means that most patients will have their clinical records kept on our system for longer than their 25th birthday, but no longer than the 20 years after discharge required by law.

3 Data Protection.

3.1 Right of access.

- 3.1.1 You may request copies of all your personal information at any time without needing to give a reason. Please request this in writing at admin@theambertree.co.uk so we have a record of your request.

3.2 Right of rectification.

- 3.2.1 You have a right to request that your information is updated if it is inaccurate, or you feel it is incomplete. Please request this in writing at admin@theambertree.co.uk so we have a record of your request.

3.3 Right to erasure.

- 3.3.1 You have the right to request that your data is deleted from our systems in certain circumstances. Due to legal requirements involving the maintenance of records, this will need to be addressed on a case-by-case basis. Please request this in writing at admin@theambertree.co.uk so we have a record of your request.

3.4 Right to restriction of processing.

- 3.4.1 You have the right to request a restriction on how your data is processed by The Amber Tree in certain circumstances. Due to legal requirements involving the maintenance of records and the processing and sharing of some data in specific situations (i.e. safeguarding), this will need to be addressed on a case-by-case basis. Please request this in writing at admin@theambertree.co.uk so we have a record of your request.

3.5 Right to object to processing.

- 3.5.1 You have the right to request that your data is not processed by the Amber Tree in certain circumstances. Due to legal requirements involving the maintenance of records and the processing and sharing of some data in specific situations (i.e., safeguarding), this will need to be addressed on a case-by-case basis. Please request this in writing at admin@theambertree.co.uk so we have a record of your request.

3.6 Right to data portability.

- 3.6.1 You have the right to request that The Amber Tree transfer your data to another professional body or to yourself, in certain circumstances. Due to legal requirements involving the maintenance of records and the processing and sharing of some data in specific situations (i.e., safeguarding), this will need to be addressed on a case-by-case basis. Please request this in writing at admin@theambertree.co.uk so we have a record of your request.

4 Data Breach Process

In the event of a personal data breach, the organisation must follow the process below to ensure compliance with UK data protection law and minimise risk.

4.1 Initial Response

- 4.1.1 Upon becoming aware of a potential breach, staff must:
- Remain calm and report the incident immediately to the designated Data Protection Lead.
 - Record the time and date the breach was identified.

4.2 Logging and Documentation

- 4.2.1 A breach log must be created without delay, capturing:
- Nature and cause of the incident
 - Categories and volume of personal data involved
 - Number and type of individuals affected
 - Timeline of events
 - Actions taken to date

4.3 Containment and Mitigation

- 4.3.1 Immediate steps must be taken to contain the breach and limit its impact, including:
- Recovering or securing compromised data
 - Requesting deletion or return of data sent in error
 - Resetting access credentials or restricting systems
 - Remotely disabling or wiping devices where appropriate

4.4 Risk Assessment

- 4.4.1 An assessment must be conducted to determine the likelihood and severity of risk to individuals, including potential for:
- Identity theft or fraud
 - Financial or reputational damage
 - Distress or other harm

4.5 Notification Requirements

- The organisation must determine whether the breach is reportable to the Information Commissioner's Office.
- Where required, breaches must be reported within 72 hours of awareness.
- Where there is a high risk to individuals, affected persons must be informed without undue delay and provided with appropriate guidance.

4.6 Ongoing Management and Review

- 4.6.1 Continue to update the breach log as new information emerges.
- 4.6.2 Implement corrective actions to prevent recurrence.
- 4.6.3 Review the incident and update policies, procedures, or training as necessary.

5 Managing Complaints.

At The Amber Tree, we take the security and privacy of our service users personal data very seriously, but if you are unhappy with how we have managed and used your data, please contact us at admin@theambertree.co.uk to discuss your concerns.

We have a formal complaints procedure in place, details of which can be accessed on our website. In the first instance, complaints are to be addressed directly to ourselves at the address provided above and on the complaints policy. We are eager to address your concerns directly so that we can rectify any problems rapidly.

If you feel that we have not addressed your concerns fully and appropriately in regard to the handling of your personal data, then you can escalate your complaint as is made clear in our complaints Policy.

In addition to this, if you can also raise a complaint about the handling of your personal data to the Information Commissioner's Office (ICO) if you remain unhappy after the formal complaint procedure is complete. The ICO will expect that you will have gone through the formal complaint procedure first, but if so, you can make a complaint online at <https://ico.org.uk/make-a-complaint/>.

Alternatively, you can contact them via mail at the following address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline: 0303 123 1113

6 Contact Details

Medical Director – Dr Clare Fenton

Administrative Manager – Mr Peter Fenton

Tel: 07858 676886

admin@theambertree.co.uk

Data Protection Officer – Peter Fenton

<https://www.theambertree.co.uk/>

7. EQUALITY IMPACT ASSESSMENT

How is the policy likely to affect the promotion of equality and the elimination of discrimination in each of the groups?			
Protected Characteristic (Equality Act 2010)	Impact Positive / Negative / None	Reason / Evidence of Impact	Actions Taken (if impact assessed as Negative)
Age	Positive	While the standards of Data Protection as equal for all under GDPR, The Amber Tree Clearly identifies how a person's information can be updated in line with their current situation. If a patient needs to change any of their personal information, this policy shows how they can, how it is kept private, and how they can update it later. This is more clearly identified in the EDHR Policy, particularly for gender reassignment.	N/A
Disability	Positive		N/A
Gender reassignment	Positive		N/A
Marriage or civil partnership	Positive		N/A
Pregnancy or maternity	Positive		N/A
Race	Positive		N/A
Religion or beliefs	Positive		N/A
Sex	Positive		N/A
Sexual orientation	Positive		N/A
Other, please state:			
EIA completed by:			
Name:	Dr Clare Fenton & Mr Peter Fenton		
Role/Job Title:	Medical Director & Administrative Manager		
Date completed:	16/05/2026		