

It is simple – information that is about you is private.

European-wide laws which have been adopted in England (GDPR) make it clear that the privacy of the person, to whom the information belongs, comes first. This means that the ways in which people and companies handle and store client's personal information should be clearly explained, giving them increased control over data that is personal to them. There are some legal exceptions to this.

In this policy, we set out the different types of data, how data is handled and why, who handles that data, your control over your data and when we no longer hold your data.

ProblemShared is the trading name of Teledoctor Ltd (the "Company"). and is registered in England. The Company provides access to mental health care services via its digital platform which is comprised of its website problemshared.net and the Problemshared App (the "Platform"). This encompasses a network of Counsellors, and Psychiatrists (each a "Practitioner") who provide their services remotely via video link to users of the Platform.

Our Privacy Policy is available on our Platform and it also forms part of our User Terms and Conditions, acceptance of which you indicate on using the App.

If for any reason you wish to contact us regarding privacy and your personal data, please write to this email address: help@problemshared.net.

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1. What information?

a/ Different types of information

Personal information is defined as that which, whether on its own or in combination with other information, allows for the identification of an individual. Information that relates to a person's health is also sensitive information. Where personal identifiers are removed from the information, and the information is anonymised and then aggregated, this is no longer personal information. For the information to be so aggregated, the information must be handled accordingly, with your consent.

There are different contexts in which we hold information about you. These are associated with discrete, albeit related, purposes, and are also associated with different mechanisms for control by you. We first set out each of the different contexts for information, next we describe our purposes, and then your consent to our handling and your control over those types of information.

b/ Information we ask you to provide

We ask you for certain information in connection with your use of the App and any sessions you book with a practitioner.

This includes:

i/ your full name, email address and mobile telephone number which we use to identify you, to create a Booking, and to contact you in relation to your use of the Platform and in relation to the therapy you receive over the Platform, and this information is stored in your Profile on the App;

ii/ your date of birth, your GP's name and GP practice contact details to further identify you and your primary health carer, as part of your intake form ahead of your first appointment with a Practitioner. Information collected from your intake form is not stored in your Profile on the App;

iii/ an emergency contact in case of emergency as part of your same intake form;

ii/ information connected with why you wish to see a Practitioner, or your medical history which you may choose to provide in as much or as little detail as you like, again as part of your intake form. This information is sensitive information, and is not stored under your Profile in the App;

iii/ billing or payment information you provide in connection with a booking but which we do not store and which is handled by our third party supplier;

v/ any feedback from you in the event that you participate in a survey of the Platform.

You will be guided and prompted in filling in any required information fields on our intake form over the Platform.

You can review and update your Profile in the App at any time, and you are obliged to update these details in case of change.

You are solely responsible for the truth, currency, accuracy and completeness of the information that you provide to us.

c/ Other Information that you may choose to share with your Practitioner or with us

Currently we do not store information that either you or the Practitioner choose to share during the course of your session via the chat function or by separate email, for example a document with suggested exercises as part of your therapeutic relationship. In the event that you and the Practitioner share a document or file by email or that the Practitioner downloads via the chat function during your session, that contains information that is personal to you, the Practitioner is then the person who controls and stores that information for the purposes of privacy.

The Practitioner may make notes of their Session with you, and this information is also Sensitive Information. We address this later in the policy since this is not information that we currently hold, control, handle or process.

The content of any communication between you and us, separate to your Practitioner, also contains information relevant to you. When you contact the Company by email or telephone for whatever reason, we will keep a copy of that email or a note of that conversation.

d/ Information that is collected by us

Each time you visit the Platform, we collect the following information about your digital activity including but not limited to the following:

i/ device specific information: the type of device (mobile or tablet) you are using; temporary or persistent unique device identifiers (UDIDs), the I.P. address of your Device, your mobile operating system, the type of mobile internet browsers you use;

ii/ usage information: the full uniform resource locator (URL) clickstream to, through and from the Site (including date and time); menu items, or pages you viewed or searched for; page response times; download errors; length of visits to certain pages; page interaction information (such as scrolling, clicks and mouse-overs); actual duration of video-link consultation during any Session in minutes; recurrence of visits to the Platform; recurrence of Sessions that you book; methods used to browse away

from one page of the Platform and another, and any phone number used to call us at ProblemShared.

2. Why & How information is used:

The Company will use your information only as is legally permitted. We may interact with your data in a number of ways or contexts: we receive or request data from you, we receive or request your consent or change of consent with respect to your data, we store data, we handle and use it, we direct or permit others to handle or use it, we provide copies of it to you at your request, and we eventually delete it.

a/ The extent of our access - Legally we must have good reason to use your data, and we must keep it private, and where that data does not remain private, it must only be where we are required or permitted by law to disclose it. In handling your data, when the data has been anonymised it is no longer personal, but we still require your consent to so use your data in the context even where personal identifiers have been removed.

b/ Our prime purpose in handling your personal information is to facilitate your mental health care. We do this by providing a centralised platform over which Practitioners can serve the mental healthcare needs of clients such as you in a remote setting via video-link consultation.

How do we do this? This includes verifying you are a real person, and that you are who you say you are; enabling payment for Sessions; facilitating a Practitioner's understanding of your history, including, if relevant, a Psychiatrist's understanding of your medical history; your reasons for seeking treatment; previous medications etc; contacting you if needed; managing any complaint you make, and otherwise communicating with you in relation to your use of the Platform, eg via email, and sending you automated reminders about your Bookings.

We may also use your contact details to send information about updates and features of the Platform on an ongoing basis. We will only do this where you have opted in to receiving such marketing. We do not provide data for third parties to market to you.

c/ Ancillary but still part of our purpose of providing a remote mental health care service via our Platform is the improvement and further development of the Platform itself, for the mutual benefit of the Company, Practitioners and Clients such as you to deliver a mental healthcare service that is user-friendly, secure, helpful, informed and responsive.

d/ How do we do that?

We also use information about how and why the Platform is accessed for our own analysis of efficiencies and operations of the Platform.

So we may also use data that is collected regarding devices and usage of our Platform for various technical reasons, such as troubleshooting, improving operations, and efficiency, statistical analysis, research, and survey purposes for Platform and service optimisation, and to monitor security of the Platform and protect against inappropriate or unpermitted use of the Platform as per our User Terms. Cookies and similar technologies may be used to collect this information.

On a broader level, we may also use data that informs about patterns and presentation of mental health matters to better inform our approach to providing tailored and representative services, and to contribute to broader dialogue in communities associated with mental health care.

In both contexts of specific application to the Platform and to the broader context of the mental health space within the community, this analysis is done via combining and aggregating amounts of data that are first anonymised, which means that, at that point, the data no longer constitutes personally identifiable information and it is mixed with lots of other information.

We may share the results or conclusions of our analysis with you and other users over the Platform in the resources we make available via the Platform, or we may share with our network of Practitioners, and third party suppliers to better educate others of information relevant to mental health care and treatment, and to delivery of services over the Platform. Such information would be based on analysing anonymised aggregated data as set out above.

3. Control of your information & consent:

a/ **Cookies** - You may refuse the use of cookies and other such features that help us understand user's interaction with the Platform by making your selection when you access the Platform.

b/ **Privacy settings** - You may also edit your privacy settings with regard to information that we may anonymise and aggregate for the purpose of improving and developing our Platform and the mental health services offered over the Platform.

c/ **Key information** - Without certain information of yours, that goes to identify you, we cannot grant you access to the Platform since we cannot create a profile for

you nor facilitate Bookings with Practitioners. Nor can we provide access to therapy with your choice of Practitioner without sharing personal and sensitive information about you with your chosen Practitioner such as that contained in your intake form.

d/ Disclosure - We must also obtain your consent first before we disclose any personally identifiable information to any other third party, for example your GP.

If we disclose personally identifiable information about you without your consent, then we can only do so where our action is necessary by way of a legal claim, or as required by any enforcement or other government agency, or as is necessary under any competing law or regulation, for example a public health interest, or in case of emergency or for the purpose of safeguarding against harm to You or another person; to investigate illegal activity, fraud, abuse, violations of our terms, or threats to the security of our services.

4. Privacy and Practitioners:

The Practitioner you see in your session is also bound to follow and comply with all relevant laws about privacy, like us. And the agreement you make with them in defining your therapeutic relationship should also address your rights and the Practitioner's obligations about privacy in connection with the information that they handle, hold and store about you, including the information that is stored on the Platform to which your treating Practitioner has access (your identification and contact information and the sensitive information that is contained in your intake form), and information that is part of the records they create of their sessions with you, such as a Practitioner's Notes.

Practitioners are not only bound by strict confidentiality as per their relevant professional body's code of ethics, and by contractual agreement with the Company, they can also only use your data in the ways specified by the relevant laws including the GDPR.

Practitioners are bound therefore to address with you matters akin to those we address here – what information is held, how it is handled or shared, and your rights to access it and your consent to its use.

5. Who uses it:

a/ Data controller – For the purposes of the GDPR, the Company (Teledoctor Ltd) is the registered controller of information it holds about you.

As noted above, a Practitioner also has access to, stores and handles information about you. Where a Practitioner stores electronic records or notes of the Session s/he has with you on her or his device/s, then that Practitioner is also a Data Controller for the purposes of the GDPR law.

b/ Partner Organisations and Subsidised Sessions - Where your session is part of an arrangement with a tertiary institution or other organisation ("Partner Organisation"), under a subsidised cost arrangement, we will not share any information with the Partner Organisation except information without which we are unable to facilitate the sessions, nor arrange payment or settlement of such subsidised costs of the sessions.

c/ Sharing with Third Party Data Processors - The Company uses other companies to provide data processing services on our behalf, for a range of purposes including facilitating the integration of parts of the Platform, facilitating payment for Sessions, optimising functions of the Platform, analysing access to and engagement with the Platform.

With regard to personally identifiable information that enables payment for services, we do not store any such information. The third parties who are our suppliers of billing and payment function systems, credit checking or encrypted security solutions must be compliant with Level 1 Payment Card Industry (PCI) data security standards. Any payment transactions are encrypted using SSL technology.

Your information may be processed in such a way that it is made anonymous so that you cannot be personally identified (for example, name deleted and gender, age, address details unlinked so that no person can be identified), and is then aggregated with other data to allow analysis. You have the right to restrict our processing of your information in this way, when you register with the service. You may elect to change your mind about this at any time.

Where we do share information with third party data processors, this will not be processed or stored via destinations outside the European Economic Area. In the event this changes, it shall always be processed or stored in accordance with applicable data protection laws in England and subject to strict safeguards.

d/ [Other types of access](#) - As noted earlier, the Company may be required to provide information to others in the context of legal, enforcement or other governmental obligations.

6. [Security:](#)

The Company takes appropriate technical and organisational measures to guard against unauthorised or unlawful processing of your personal data and against accidental loss or destruction of, or damage to, your personal data. The Company has security measures in place and it engages third party suppliers of systems that integrate with the Platform that also hold themselves out as ascribing to such security measures.

Some of these measures include:

a/ [Authentication](#) – confirmation of identity: We use 2 factor authentication via passcode delivery to your mobile phone to allow you access to the App.

b/ [Encryption](#) – preventing unauthorised use: By encrypting electronically transmitted information such as video calls or messages, this information can only be accessed by the participating parties. With encryption, the rest of the information is distorted and unreadable, impossible to interpret without special keys.

c/ [CE Marking](#) – a guarantee of a good level of security: If a tool or platform is CE marked, it means that it meets the basic safety, health, and environmental requirements in accordance with the EU directives that regulate this. CE stands for Conformance Européenne, which means “in accordance with EU directives”. Read more about what it takes to get a product CE marked on the European Commission’s website.

The Platform uses communication methods which ensure that data transferred between servers remain private and encrypted. The protocols are based on the security standard TLS.

Our third party supplier of systems is CE marked as a secure Class 1 Medical Device.

d/ [GDPR](#) – regulation of data storage, and handling.

All data must be stored and handled in accordance with applicable laws, in particular the GDPR. This means, among other things, that personal data is handled in ways

that the GDPR sets out, and is deleted when it is no longer necessary to store (see more on this below).

For example, we do not store any personal health information on your device. All this information is stored on secure servers.

Our third party suppliers are also bound by the GDPR. Their handling of personal data must be in accordance with the same regulatory regime by which we are bound.

e/ Your responsibility - It remains your responsibility to ensure no-one else uses the Platform in your place, or gains access without your permission, and you are responsible for keeping your access private.

f/ No guarantee - Of course, no data transmission over the internet can be guaranteed to be 100% secure. While the Company undertakes to the best of its ability to protect your personal data from unauthorised access, use or disclosure, the Company cannot ensure or warrant the security of any information you transmit via the Platform, including during your session.

7. Your Access to and Rights over your Data

a/ Access - The Company makes access to your personal data immediately available in the following ways:

i/ You can access the information that you are required to provide for the purposes of identification at any time by logging in to your "My Profile" section on the App.

ii/ You may request that the Practitioner attending your Session send to you by email a copy of any Referral letter if s/he has sought a referral on your behalf.

iii/ Updating and Maintaining Your Digital Record with regard to Psychiatry: The Company only permits the Practitioner responsible for the Session to update or add to the Digital Record, or any other person authorised by CQC guidelines, for example clinical leads, for the purpose of ensuring best practice only.

Any other requests or actions that you wish us to take in respect of your privacy, please write to us at hello@problemshared.net and we will consider the request and write back to you within 28 days.

b/ Your Rights - You have the right to withdraw your consent in respect of any way in which we handle or store your data at any time, where you have previously given it; the right to understand and request a copy of the information we hold about you;

the right to ask us to rectify or delete information we hold about you, subject to our prescribed requirements regarding storage of medical records; the right to restrict how we process your personal data; the right to transfer your personal data in a portable manner.

8. Complaints

You may contact us regarding any complaint at hello@problemshared.net

Alongside your right to contact us to make a complaint or other request with regards to your privacy, you may also contact the Information Commissioners Office (the data protection regulator in the UK): Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, telephone: 0303 123 1113 (local rate).

9. When we no longer hold your data

We hold information personal to you for a period of seven (7) years after the therapeutic relationship ends with a practitioner.

With regard to medical records pertaining to psychiatric-based treatment over the Platform, we hold that part of your record in accordance with national best practice guidance as issued by the British Medical Association, Department of Health, and/or relevant NHS codes. But of course, we may retain personal data for other periods as required by any other law or regulation.

Type of record	Retention period
Records relating to persons receiving treatment for a mental disorder within the meaning of mental health legislation	20 years after the date of the last contact; or 10 years after the patient's death if sooner.