

| <b>Policy</b>                   |  |
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| <b>Policy Title:</b>            | Service User Consent                           |
| <b>Scope of this Document:</b>  | All Staff (including employees and volunteers) |
| <b>Recommending Committee:</b>  | Quality and Safety Committee                   |
| <b>Approving Committee:</b>     | First Person Project Board of Directors        |
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## **1. Introduction**

First Person Project CIC is dedicated to providing comprehensive and compassionate mental health services to individuals seeking support. This Service User Consent Policy outlines the organization's commitment to obtaining and managing service user consent in a transparent and respectful manner, in compliance with the General Data Protection Regulation (GDPR) and other applicable data protection laws. By adhering to this policy, First Person Project CIC ensures that service users' autonomy, privacy, and confidentiality are respected throughout their engagement with the organization.

## **2. Definitions**

- Service User: An individual who is receiving mental health services from First Person Project CIC.
- Consent: Voluntary and informed agreement provided by a service user, or their authorized representative, regarding the collection, use, and disclosure of their personal information and their participation in specific activities or services.
- GDPR: The General Data Protection Regulation, a comprehensive data protection law that sets out rules for the processing and protection of personal data of individuals within the European Union (EU).

## **3. Principles**

First Person Project CIC upholds the following principles when obtaining service user consent and handling personal data under the GDPR:

- Consent will be sought for all relevant activities, interventions, and sharing of personal information, ensuring compliance with the lawful basis for processing personal data.
- Consent will be obtained voluntarily and without any form of coercion or undue influence to protect the individual's autonomy.

- Consent will be informed, meaning that service users will be provided with clear, understandable, and relevant information about the purpose, nature, and potential risks or benefits of the activity or intervention, as well as the specific personal data to be processed.
- Consent will be documented, demonstrating accountability and compliance with the GDPR's documentation requirements.
- Consent forms and associated records will be securely stored and managed in compliance with the GDPR's principles of data protection, including confidentiality, integrity, and availability of personal data.
- Service users have the right to withdraw their consent at any time, and their decision will be respected without any adverse consequences or discrimination, in accordance with the GDPR's right to withdraw consent.

#### **4. Consent Process**

##### 4.1. Initial Consent

- Service users will be provided with comprehensive information about the purpose, nature, and scope of the mental health services offered by First Person Project CIC. This may include written materials, verbal explanations, and opportunities for discussion.
- Before engaging in any services, service users will be presented with a consent form that clearly outlines the specific activities, interventions, and potential uses of personal information associated with their participation.
- Service users will have adequate time and opportunity to ask questions, seek clarification, and have any concerns addressed before providing their consent.
- Consent forms will include sections for service users to sign and date, indicating their voluntary agreement. In cases where service users are unable to provide consent themselves, authorized representatives will be identified and authorized to provide consent on their behalf.
- First Person Project CIC will ensure that the consent process is culturally sensitive, addressing any language barriers or accessibility requirements that may exist.

#### 4.2. Ongoing Consent

- Service users will be kept informed of any changes to the activities, interventions, or uses of personal information that may require a revised or updated consent, as required by the GDPR's transparency and accountability principles.
- In situations where new or modified activities or interventions are introduced, First Person Project CIC will seek additional consent from service users before proceeding.
- Regular communication and check-ins will be conducted to ensure service users' ongoing understanding and agreement with the services provided, and any updates or changes will be communicated promptly.

#### 5. **Confidentiality and Data Security**

- First Person Project CIC is committed to maintaining the privacy, confidentiality, and security of service users' personal information in compliance with the GDPR's principles of data protection.
- Personal information will only be shared with individuals directly involved in the provision of mental health services, and only to the extent necessary and relevant for their involvement.
- First Person Project CIC will implement appropriate technical and organizational measures to protect personal information against unauthorized access, disclosure, alteration, or destruction, as required by the GDPR.
- Service users will be informed of any legal or ethical obligations to disclose information without their consent, such as situations involving risk of harm to themselves or others, in accordance with the GDPR's provisions on legitimate interests and legal obligations.

## **6. Documentation and Record-Keeping**

- First Person Project CIC will maintain clear and accurate records of service user consent to demonstrate compliance with the GDPR's documentation requirements.
- Consent forms, associated documentation, and any revisions or withdrawals of consent will be securely stored and managed in accordance with the GDPR's principles of data protection, including confidentiality, integrity, and availability of personal data.
- Service users will have the right to access their consent records, request amendments or updates, and withdraw their consent, as outlined in First Person Project CIC's Privacy Policy, in compliance with the GDPR's rights of data subjects.

## **7. Training and Compliance**

- Staff and volunteers involved in obtaining service user consent and handling personal data will receive comprehensive training on the GDPR and relevant data protection practices to ensure their understanding and adherence to the requirements.
- Regular monitoring and reviews will be conducted to assess compliance with this policy, the GDPR, and other applicable data protection laws, identify areas for improvement, and ensure ongoing adherence to best practices.

## **8. Review and Amendments**

- This policy will be reviewed as per the review date, or as needed, to ensure it remains up to date with evolving legal and regulatory requirements, including changes in the GDPR or other applicable data protection laws.
- Any amendments or updates to this policy will be communicated promptly and transparently to staff, volunteers, and service users, ensuring their understanding and awareness of any changes.

## 9. Contact Information

- First Person Project CIC will provide clear contact information, including relevant email addresses, phone numbers, or mailing addresses, for service users to reach out with any questions, concerns, or requests related to consent, privacy, or GDPR compliance matters. Details are listed on the front page of this policy.

This expanded Service User Consent Policy reflects First Person Project CIC's commitment to protecting service users' personal data in accordance with the GDPR and other applicable data protection laws. By adhering to these principles and processes, the organization ensures that service users' rights and choices regarding their personal data are respected and protected throughout their engagement with the organization.