**Processing of Personal Data**

**General Data Protection Regulation (GDPR):**

* Expands on the UK Data Protection Act, 1998
* Came into force on 25 May 2018
* The GDPR applies to ‘controllers’ **and** ‘processors’. The definitions are:
	+ the controller says how and why personal data is processed
	+ the processor acts on the controller’s behalf

**Gathering information**

Consent for therapy and providing data is always sought from the parent/legal guardian. A child is deemed able to give consent from 13 years of age.

As a Play Therapist, personal data about clients is gathered in order to support their process within the therapeutic environment. This includes, but is not limited to:

* Name
* Age
* Gender
* Contact details
* Family relationships etc.
* Other agencies involved within the family

GDPR training is completed on an annual basis

**Processing information**

The client has the right to expect appropriate measures are taken to protect their data.

Client data is stored in a locked, metal, filing cabinet and an encrypted hard drive.

Any information shared via email is password protected

Client data is processed through a password protected database to Play Therapy UK; this information is anonymised at source.

Client data, and processes, are discussed, anonymously, during supervision. The supervisor is also registered with Play Therapy UK.

Safeguarding legislation requires personal data to be divulged in the event that a safeguarding concern arises. This would be to the Single Point of Advice (SPOA) in East Sussex. Please see Safeguarding Policy for further advice.

Clinical data may be used, anonymously, in future case studies. Where possible, consent for this will be sought.

In the event that personal information is forwarded to other third parties, e.g. one that commissions the service, consent will be sought via a sharing of information agreement.

Data will be used, anonymously, to profile the effectiveness of play therapy

In case of my death, serious illness or emergency a Professional Will identifies the person who has the responsibility to deal with the temporary or permanent closure of my practice and who will ensure that clients are notified and referred, protect confidential records and financial matters are dealt with

**Accessing Information**

The client has the right to access any information that forms part of their records, and expect to be able to read them and understand what they mean without expert knowledge.

In the event that the client is not competent, and that the person who approaches me holds parental responsibility, exercises the child’s rights on their behalf further guidance may be sought from the ICO and professional body to ensure that ethical practice is upheld. Consideration will be given to the following factors:

* the child’s level of maturity and their ability to make decisions like this;
* the nature of the personal data;
* any court orders relating to parental access or responsibility that may apply;
* any duty of confidence owed to the child or young person;
* any consequences of allowing those with parental responsibility access to exercise the child’s rights. This is particularly important if there have been allegations of abuse or ill treatment;
* any detriment to the child or young person if individuals with parental responsibility cannot access this information; and
* any views the child or young person has on whether their parents should have access to information about them.

The client has the right to have any invalid information about them corrected. In this situation I would notify anyone else that received the incorrect information and ensure it was corrected.

**Data Breach**

In the event of a data breach the ICO will be informed.

Any clients affected will be informed within 72 hours of the incident

**Retention of records**

Clients have the right to request their personal data is erased in some specified circumstances. This right is overridden if certain compelling reasons to retain the personal data apply, despite the individual’s objections.

In accordance with therapeutic practice client records are retained until the clients 25th birthday. This retention period facilitates the retention of any safeguarding records.

**Marketing**

You will not be contacted for marketing purposes.

**Complaints**

If you have a concern, or are unhappy with how your personal data has been handled in the first instance you are requested to discuss this with me.

Following this if you continue to remain concerned, or are unhappy, you can contact the ICO on 0301231113. Further information can be found at https://ico.org.uk/make-a-complaint/



In accordance with current guidelines Kerry Hayns, Certified Play Therapist, is registered with the ICO to control personal data on clients

Registration Number: ZA207342