

# General Data Protection Regulation (GDPR)

## Privacy Notice

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### **GDPR**

The General Data Protection Regulation (GDPR) acts as the UK Data Protection Act, 2018

### **About me**

I am a certified Play Therapist holding a PTUK Post-graduate Diploma in Play Therapy and a PTUK Trainee Clinical Supervisor.

I am a member of Play Therapy UK (PTUK) and I am on the PTUK Register of Play and Creative Arts Therapists which is accredited by the Professional Standards Authority (PSA) <http://playtherapyregister.org.uk>

### **Collection of Personal Information**

1. Information about the client will be collected via spoken or written media from parents, carers or other relevant professional.
2. With parental consent, information may also be collected from other professionals working with the child eg school/nursery/children's centre/Social Care.
3. Information may also be taken about family members where this relates to the child - e.g. contact details for parents and any relevant medical / developmental history.
4. Monitoring data to assess impact will be collected through the completion of a Goodman's Strength and Difficulties Questionnaire (SDQ) and/or the CORE Questionnaire for Young People. This will be completed at the beginning of Therapy, during the mid-way review and again, at the end
5. Confidential work product of the client that is produced within a Play Therapy setting (eg artwork, drawings, clay models, etc) will be collected and stored securely by the Play Therapist
6. Personal information from adults (therapists, teachers, counsellors, parents, etc) will be collected through electronic means (social media, website, email correspondence, etc) regarding the buying and selling of goods and the booking of/attendance at workshops

### **Use of Personal Information**

1. Personal information collected via email, telephone contact, online mediums or face to face is stored and used for the purpose of delivering Play Therapy, Clinical Supervision, training workshops or the buying and selling of goods
2. Any sensitive personal details are stored in a secure and confidential system. All computers used are password protected using a complex password combination of numbers, upper- and lower-case letters and punctuation
3. Personal details shall be used for the purpose of delivering appropriate therapy service to the client, corresponding with the client or delivering goods/services to the client/customer.
4. With consent, information about the child's needs (who is accessing Play Therapy) will be shared with other professionals involved in the child's care when it is in the child's best interests.
5. A record of the client's consent to Play Therapy is kept within the child's case notes
6. Unless we are required to do so by law, we will not disclose any personal information collected to any person other than as set out above e.g. we will not share information with Teaching Staff at the child's school who are not involved with the child's care.

7. We do not employ agents to process personal data – for example, specialist mailing companies to send out communications.
8. We do not give or sell client details to any third parties.

### **How we use Personal Information**

We use personal information collected to:

1. To prepare, plan, and provide therapy services, clinical supervision, training workshops and/or sale of resources appropriate to the client, adult or professional's need.
2. To communicate with the child's parents/guardians and/or therapeutic referrer by post, email, telephone or text message in relation to:
  - Confirming and preparing for appointments
  - General communication in-between appointments
  - Sending reports and programmes for the child, which are password-protected
  - Copying the child's parents/guardians and/or therapeutic referrer into communications with other professionals about the child
  - Sending resources
  - Sending invoices
3. For management and administration – for example, a unique client code is designated to each child and included in a PTUK-specific password-protected cloud-based database. All information collected and used will be anonymised, client codes will be used, and no personal identifiers will be included.
4. For the personal development of Therapeutic Practitioners – for example, certain client cases may be discussed with a clinical supervisor, but these discussions will be confidential and personal identifiers will not be used.
5. Whenever personal identifiers are not needed for these tasks, we will remove them from the information, if possible.
6. Personal details of customers who purchased goods and services through online mediums will be stored on a secure, password-encrypted database. We will retain your shopping history and use details of the products you have previously purchased to make suggestions to you for other products which we believe you will also be interested in. Personal information can include (but is not limited to)
  - Name
  - Address
  - Email address/contact details
  - Type of purchases and amount spent
  - Method of payment
  - Any correspondence between the customer and The Playful Therapist

### **How We Store Personal Information**

1. All information about the child and their therapy is stored securely in a password-protected, encrypted folder on The Playful Therapist's computer/s. All computers used are password protected using a complex password combination of numbers, upper- and lower-case letters and punctuation. Passwords should be changed every three months
2. We use a comprehensive record-keeping system related to the PTUK data protection policies and procedures to ensure there is a clear audit trail. The majority of therapeutic data is stored and processed in a play therapy records management system: 'Caerus2017,' 'Cliniko' or 'Fortuna,' all of which incorporate good Data Protection practice and is approved by the ICO.

3. Any paper-based, confidential information (such as assessments and case notes) are stored securely in accordance with data protection regulations. All paper-based records are kept in locked cabinets, carried securely and not left in public areas
4. Any confidential work product of the client that is produced within a Play Therapy setting (eg artwork, drawings, clay models, etc) will be stored in a folder/bag/box. Each client will be allocated their own storage folder/bag/box and these storage cases will either be kept in a lockable storage facility on site of the clients setting or will be stored centrally by the Play Therapist in a lockable storage facility in another convenient and confidential location.
5. External storage devices, including USB sticks and external hard drives that are used for confidential data must be encrypted and not left unattended. Any lost storage devices containing confidential data must be reported and appropriate action taken
6. In accordance with law, all records will be kept securely until the child is 21 years old. After this time, all records relating to the child will be securely destroyed.
  - 6.1 All hard/paper copy records of client files will be kept in a secure locked filing cabinet for 1 year after the client is discharged from Therapy.
  - 6.2 All electronic files will be deleted 3 years after the child's 18<sup>th</sup> birthday, when the child turns 21 years old
7. All customer records, including personal information, purchases, invoices and attendance at workshops will be kept for 10 years in case of HMRC financial audit

#### **BREACH PROCEDURE**

If any confidential data is lost, damaged or inappropriately accessed, we will:

1. Seek advice from the ICO about how to act.
2. Contact the client if advised to do so.
3. Contact any other relevant agency/organisation if advised to do so

#### **Meeting my Professional Obligations**

All Play Therapists and Associate Play Therapists at The Playful Therapists are required to be members of a UK based Play Therapy regulatory body (PTUK or BAPT). PTUK has clear standards of conduct, performance and ethics to which all registrants must adhere. These standards affect the way in which we process and share information, specifically the ethical principles of:

- **Fidelity:** Honouring the trust placed in the practitioner  
*Being trustworthy is regarded as fundamental to understanding and resolving ethical issues. Practitioners who adopt this principle: act in accordance with the trust placed in them; regard confidentiality as an obligation arising from the client's trust; restrict any disclosure of confidential information about clients to furthering the purposes for which it was originally disclosed.*
- **Autonomy:** Respect for the clients right to be self-governing  
*This principle emphasises the importance of recognising at all times that a child/young person is an individual in their own right who has the capacity to enable their own healing and development through the therapeutic process.*

*Practitioners who respect their clients' autonomy: ensure accuracy in any advertising or information given in advance of services offered; seek freely given and adequately informed consent from the child or, when the child is not competent to give valid consent from the person legally responsible for the child; engage in explicit contracting in advance of any commitment by the client; protect privacy; protect confidentiality;*

*normally make any disclosures of confidential information conditional on the consent of the client/carer concerned; and inform the client and their carer(s) or those persons legally responsible for the child in advance of foreseeable conflicts of interest or as soon as possible after such conflicts become apparent.*

- **Beneficence:** A commitment to promoting the client's well-being  
*The principle of beneficence means acting in the best interests of the client based on professional assessment. It directs attention to working strictly within one's limits of competence and providing services on the basis of adequate training or experience. Ensuring that the client's best interests are achieved requires systematic monitoring of practice and outcomes by the best available means. It is considered important that research and systematic reflection inform practice.*

- **Supervision and CPD**  
*There is an obligation to use regular and on-going supervision to enhance the quality of the services provided and to commit to updating practice by continuing professional development.*

- **Non-maleficence:** A commitment to avoiding harm to the client  
*The practitioner has an ethical responsibility to strive to mitigate any harm caused to a client even when the harm is unavoidable or unintended. Holding appropriate insurance may assist in restitution.*

*Practitioners have a personal responsibility to challenge, where appropriate, the incompetence or malpractice of others; and to contribute to any investigation and/or adjudication concerning professional practice, which falls below that of a reasonably competent practitioner, and/or risks bringing discredit upon the profession*

- **Justice:** The fair and impartial treatment of all clients and the provision of adequate services  
*The principle of justice requires being just and fair to all clients and respecting their human rights and dignity. It directs attention to considering conscientiously any legal requirements and obligations, and remaining alert to potential conflicts between legal and ethical obligations. Practitioners have a duty to strive to ensure a fair provision of therapeutic services, accessible and appropriate to the needs of potential clients.*
- **Self-respect:** Fostering the practitioners self-knowledge and care for self  
*There is an ethical responsibility to use supervision for appropriate personal and professional support and development, and to seek training and other opportunities for continuing professional development. Guarding against financial liabilities arising from work undertaken usually requires obtaining appropriate insurance.*

#### **UK Data Protection Law and EU General Data Protection Regulations**

Data Protection Law lays down wide-ranging rules backed up by criminal sanctions for the processing of information about identifiable, living individuals. It also gives individuals certain rights in relation to personal data held about them by others.

The Playful Therapist is registered with the Information Commissioner's Office (ICO) as a data controller.

Registration Number: ZA277946

Registration expires: 7 September 2023

### **Our Lawful Basis for Processing Personal Information**

Our lawful basis for processing and storing personal information is one of “legitimate interest” (under article 6 of GDPR). We cannot adequately deliver a high quality therapeutic service without processing the child’s personal information. As it is both a necessity for service delivery and of benefit to the child, we have a legitimate interest to process and store their data.

Data relating to an individual’s health is classified as “special category data” under section 9 of GDPR. The regulations specify that health professionals that are “legally bound to professional secrecy” may have a lawful basis for processing this data. Play Therapists are legally bound to keep client information confidential, and it is under this condition that we process and store personal information.

### **Our Responsibilities**

We are committed to maintaining the security and confidentiality of the client’s record. We actively implement security measures to ensure that their information is safe

We will not release personal details to any third party without first seeking consent unless this is allowed for, or required, by law.

Any court requests for a client’s personal data, record of sessions or other information relating to their treatment will be discussed, if possible, with the family and/or child (depending on the age and mental capabilities of the child). Any reports produced will be respectful towards the sensitive nature of the data, will be compliant towards the justice system and will be based on facts rather than opinions and theoretical hypothesis of the therapist. All data that is legally subpoenaed will be handed over to the court within the appropriate timeframes. In the event that the client has exceeded their 21<sup>st</sup> birthday and all data has been destroyed, the court will be issued with a copy of this policy.

### **Your Rights**

Data protection legislation gives the client various rights, the most of important of which are as follows:

- You have the right to a copy of the information that I hold about the child. If the child is 16 years or older, his/her consent is required unless the client has power of attorney.
- You have the right to ask for your record to be amended if you believe that it is wrong.

### **How to Access Your Child’s Records**

Please contact us in writing if you would like to access your child or young person’s notes (a request cannot be made via email as written signature is required).

Requests should be sent to:

**The Playful Therapist,  
Studio 5-116  
Unit 5 Harrington Way  
Warspite Road  
SE18 5NR**

A copy of the child’s records is provided free of charge. Postage costs, however, will be incurred if the records need to be, or are asked to be, sent by post.



We will aim to provide access to the child's records within 30 days of receipt of all necessary information, providing it is reasonable to do so

**Questions**

If you have any questions about how we use a child's personal information, please contact us via email: [natalie@theplayfultherapist.org.uk](mailto:natalie@theplayfultherapist.org.uk)

Further information about data protection and your rights is available from the Information Commissioner's Office on 0303 123 1113.

<b>Signature:</b> 	
<b>Author:</b> Natalie Palmer	<b>Role:</b> Clinical Director at The Playful Therapist
<b>Date Policy Created:</b> 13 <sup>th</sup> April 2020	<b>Date of next review:</b> 17 March 2023