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Brighton Child Psychology Ltd.

Dr Charlotte Flackhill

C.Psychol, BSc, DClinPsych
Chartered Clinical Psychologist

Brighton Child Psychology Ltd. Data Protection and Privacy Policy

We take your data protection and privacy, and that of your child, very seriously. This involves both how we keep your information confidential and how we process your data. This document explains how we use the information we have about you and your child, and your rights, as well as your child's rights, over your data.

This document has been developed for those with parental responsibility for children unable, in data protection terms, to provide informed consent themselves. We will explain separately to your child, in a developmentally appropriate manner, who we are and how their data will be processed. This may include sharing a separate document entitled 'Child-friendly Data Protection and Privacy Policy'.

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Document Summary

The following summary outlines the key points of our Data Protection and Privacy Policy. It is important that you consider these carefully and ensure you fully understand them before undergoing an assessment or starting therapy with us. Please do not hesitate to ask us if anything is unclear.

In order to provide you and your child with our services we collect the following information from you:

- Personal information, such as your name and your child's name, contact details, and details of payments you make to us



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- Sensitive information, such as details of your child's mental health, past experiences, identity and beliefs
- Information about your family, which may also include sensitive information

We collect this information from several sources. We collect it from you and your child, for example when you make an enquiry or see us for an assessment or therapy, and from other people with your consent (and wherever possible your child's consent), for example other parents or family members, or other professionals, such as school or social care. We also collect data from the technology you use to access or pay for our services.

We store information about you and your child securely, in paper form and online. If we need to send information about you electronically (e.g., sending you a letter, or communicating with your insurer) we use encrypted email, (protonmail) and password protection.

We keep the minimum information needed, for the minimum amount of time that we need it. Because some of the data we hold about you forms part of your health record, we need to keep this data for seven years after your child turns 18. We delete information about you as soon as we no longer need it.

Your data and your child's data will be kept confidential, meaning that only you, your child, and Brighton Child Psychology Ltd. will be able to see it, with a few exceptions, including:

- Where you ask Brighton Child Psychology to share it, or you share your information yourself
- The law requires that we share it (only under exceptional circumstances)
- Not sharing it would likely result in serious harm to you, your child or someone else
- We may share anonymised, therapeutically-relevant information relating to you or your child with our clinical supervisor/s because this is necessary to maintain a safe and quality service
- If you are claiming the cost of our services through your health insurance, they require us to share basic information about assessment outcome and treatment
- If you consent, arrangements will be made to share minimal information with a colleague to contact you in the unlikely event that we are unexpectedly or suddenly unable to continue providing our service

You can ask to see the information we keep about you at any time for free. You have several other rights over your information (see 'Your Rights over the information we hold about you', below).

Full Policy

Data controller

Dr Charlotte Flackhill (referred to within this document as "we", "us" or "our") is the data controller for 'Brighton Child Psychology Limited'. Dr Charlotte Flackhill is responsible for the personal data collected from clients.

What information do you collect about me and my child?

Personal Data

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Personal data refers to any information that is capable of identifying you or your child as individuals. It does not include data that have been anonymised.

Personal data we may process about you may include:

- Identity data, such as your name, title, and date of birth, and those of your child
- Contact data, which may include your telephone number, email address and home address
- Financial and transactional data, which may include details about your payments made to us for our services, your bank account details and payment card details.
- Technical data, which may include information such as your IP address, internet browser and operating system, and information relating to the devices you use to access this website and other online services associated with our business
- Usage data, which may include information about how you use our website and services

Sensitive Data

Information that is particularly sensitive, such as health information, require extra protection. Sensitive Data includes Special Category Data, defined as personal data that reveals racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; genetic data; biometric data; data concerning health; data concerning a person's sex life; and data concerning a person's sexual orientation.

We need to collect some sensitive data in order to deliver psychological services. This is likely to include details of your child's mental health, past experiences, identity and beliefs, and information about other family members, as well as other information that may fall within the categories outlined above.

Consent

In order to process sensitive data, we require explicit consent. You will be sent further communication asking you to confirm your consent to this processing when you register with our service.

We will consider whether your child has the capacity to understand the implications of the collection and processing of their data and is therefore able to provide informed consent. In data protection terms this is known as 'competence'. In addition to consenting to the processing of your own data, you may be asked, as someone with parental responsibility, to consent to the processing of your child's data on their behalf. Under these circumstances we will let your child know that they have the right to withdraw consent once they are able to make this decision for themselves. This will be explained to your child in a developmentally appropriate way and their competence to consent reviewed at regular intervals, including at any therapy reviews.

How do you use information about me and my child?

We use the information we have about you and your child to provide any psychological services that you request from us. This includes:

- To register you or your child as a new client
- In performance of our contract with you, relating to the delivery of psychological assessment and therapy, including booking appointments and managing payments
- To manage our relationship with you and your child, notifying you about changes to our terms and conditions and privacy policy

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- Sharing of personal information to third-parties where you and/or your child have given informed consent to do so, or where we are under a duty to disclose or share your personal data in order to comply with a legal obligation (please see 'Who is my information shared with?' below)

We may use your data to administer and protect our business and our site, including trouble shooting; data analysis; system maintenance; website testing; reporting and hosting of data.

Occasionally, we may use anonymised data for service-audit, business development or marketing purposes (e.g. sharing anonymised satisfaction scores or client feedback with your explicit consent). We will never share your information with another company for marketing purposes.

The lawful grounds most commonly used by us to process data are as follows:

- Where it is necessary to perform the contract between us
- Where it is necessary for legitimate interests
- Where needed to comply with a regulatory or legal obligation
- Where we have explicit consent to process sensitive information

Where do you get information about me and my child?

We mainly get information about you and your child during our registration process, in our assessment and in ongoing therapy sessions. The information therefore largely comes from the people who attend those sessions, for example you and/or your child. Occasionally, this may also include other parents, family members and/or professionals. It is usual to gather lots of relevant information about your child to enable us to provide a high-quality psychological service. This may include information about members of your family or other people involved in your child's life.

You or your child might share information by communicating with us in person, or by post, telephone, email, or otherwise when you:

- Make an initial enquiry
- Have an initial consultation
- Complete assessment measures (e.g., outcome measures or psychometric testing)
- Book, change or cancel appointments
- Attend assessment appointments
- Attend therapy sessions

Third-Parties

You or your child may provide information to third parties which is made available to us in the course of us providing our service to you.

This may include:

- Identity, Contact, Financial, Appointment and Transaction data from providers of technical, booking, payment and delivery services, such as Zoom, some of which may be based outside of the UK
- Medical Data which may be shared with us by your GP or other medical professional. This data will only be shared with us if you and/or your child have given your consent to your GP or other medical professional for them to do so

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- Medical and insurance data may be shared with us from a health insurance company making a referral to us, including before we meet with you
- We may ask other people (e.g., another parent or family members, or professionals, such as school or social care) for their input in understanding or helping with a problem you or your child have requested help with. We will only ever do this when in line with your wishes and those of your child, and where appropriate your child's consent (where they are considered competent to provide such consent). There may be times where a best interest decision is made on behalf of your child with your consent as someone with parental responsibility. **It is also possible that information may be shared with us by Children's Services if they see it as in the best interests of your child.**

Where delivered online, all psychological therapy and services will be provided via the video call platform Zoom. Zoom is GDPR compliant. To find out more about Zoom's Privacy Policy please click the following link <https://zoom.us/privacy>. Zoom video calls are not recorded and as such no record of the contact is made.

Who is my information and my child's information shared with?

We comply with all relevant data protection legislation, including the Data Protection Act 2018 and the UK General Data Protection Regulation (GDPR). Your data will be kept confidential, meaning that only you and Brighton Child Psychology Ltd. will have access to it, except in the following situations:

- You and/or your child agree that it would be useful to share some of your information with someone else involved in your care (for example, sending your child's assessment letter to their GP or school at your request)
- You or your child request your information and share it yourselves
- If your child is referred by a health insurance provider, or you are claiming through a health insurance policy to fund treatment, then we will share information with that organisation for the purposes of billing. We may also, with your consent, or that of your child where they have competence to consent, share information with that organisation to provide treatment updates where that is required by their contract with you. In such cases, we seek to omit any personally sensitive clinical information
- In line with the requirements of our regulatory body (HCPC), we receive regular supervision. In order to provide a high-quality service, we may share limited therapeutically-relevant information about you and your child with a supervisor. We are always careful to ensure that the information is thoroughly anonymised, so it would never be possible to identify you by the information we share
- If treatment has been instructed by a solicitor, relevant clinical information from therapy records will be shared with legal services as required and with your written consent, or that of your child where they have competence to consent
- Any secretarial staff we may employ, who will act in accordance with this privacy policy and have access to the minimum amount of personal information necessary to perform their specified tasks

Exceptional circumstances

- Court subpoena
- Police requests where serious harm could come to you, your child or someone else if the information was withheld

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- Where you or your child shares information about a serious crime which has not been reported or dealt with by the law
- Situations in which not sharing information relevant to reducing risk could reasonably be expected to result in serious harm to you, your child or another person. One example of this could be if we reasonably believe that your child's mental or physical health requires urgent treatment or we are concerned about the safety of someone else, including a child or vulnerable adult. In such cases we may disclose information to your emergency contacts, GP or other relevant professionals

If one of the above exceptional circumstances were to arise in relation to information you have disclosed, we would seek your consent to share, and collaborate with you to do this in the way that felt most safe and empowering for you. Where obtaining consent was not possible, you would be informed prior to data being shared, unless it was not legal to do so, or would likely place you, your child or another person at significant or increased risk of harm. If the need arose to share information without your explicit consent, we would be extremely careful to only share the minimum necessary to support safety. We would also consider whether it would be appropriate (for example developmentally) or in their best interest to share information with your child, seek their consent to share information with a third-party, or seek further information from your child.

If one of the above exceptional circumstances were to arise in relation to information your child has disclosed, where deemed developmentally appropriate, we would seek to involve your child as much as possible, in a developmentally appropriate manner, in a way that felt most safe and empowering for them. This may involve seeking your child's consent to share information if they are considered to have competence in providing informed consent about the matter. Where your child is unable to provide informed consent, we may seek this from you as someone with parental responsibility. Again, where obtaining consent was not possible, you and/or your child (depending on circumstances) would be informed prior to data being shared, unless it was not legal to do so, or would likely place you, your child or another person at significant or increased risk of harm. Again, if the need arose to share information without your explicit consent, or that of your child, we would be extremely careful to only share the minimum necessary to support safety.

There may be times where your child discloses information that you are not aware of and that we deem necessary to share with you, for the same reasons outlined above. Again, we would always seek to involve your child as much as possible and in the event of a child with competence withholding their consent, we would be extremely careful to only share the minimum necessary to ensure safety.

We seek to involve parents as much as possible in their child's care. In terms of how much information is shared with you from your child's session, this will vary from family to family, depending on the age and developmental abilities of your child, your child's wishes and preferences, the presence or absence of informed consent from your child, the particular circumstances of your family, and any legal constraints.

Contingency arrangements

In the unlikely event that we are unexpectedly or suddenly unable to continue providing our service, arrangements have been made for minimal information about you and your child to be shared with a trusted colleague.

This information includes:

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- Your name and contact details
- Any relevant information about risk
- Contact details about any other professionals involved (if applicable)

In such an event, this person would contact you to explain the situation and to help you access a service from an alternative provider. Your information will continue to be handled in a secure manner. You will be asked at the beginning of our work together whether you would like this to happen and you have the option to opt out.

Your responsibilities

You are responsible for making sure that the physical place where you and/or your child access online therapy (e.g., Zoom) is confidential. You are responsible for the confidentiality of your computer and any other electronic equipment that you or your child use.

You are not permitted to live stream, record or distribute any audio or visual images from the sessions without our agreement. We are not permitted to live stream, record or distribute any audio and visual images from the sessions without your agreement. If either party wish to record sessions then both parties must have agreed to this in advance of the session and such agreement must be recorded in writing. Your child should be involved in such decisions in a developmentally appropriate manner and where your child has competence to consent this must also be sought in writing.

How is information about me and my child stored?

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. These are outlined below.

- All typewritten letters, session notes and reports will be stored on a password-protected computer. Where possible, all electronic therapy notes are partially anonymised through use of initials.
- All electronic documents containing personal information, including your contact information, contact preferences and permissions will be password protected and stored on a secure GDPR-compliant cloud-based platform, WriteUpp practice management software.
- Basic information such as identity, contact details, and appointment times are retained by the online platform Zoom and WriteUpp.
- Any temporary paper documents such as notes that are hand-written by the clinical psychologist (process notes) will be kept in a locked filing cabinet or box, and destroyed as soon as they are no longer needed.
- Email correspondence will be deleted as soon as possible, and relevant clinical information uploaded to an electronic clinical file or printed and stored securely. Reports and other correspondence containing sensitive information, if sent by email, will be password protected, with the password communicated separately.

Please note that any data transmitted via email will be done so using protonmail.

In the unlikely event of a breach with regard to your personal information, we will notify the Information Commissioner's Office (ICO), you and anyone else effected within 72 hours where legally required to do so.

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How long do you keep information about me and my child?

We delete information about you as soon as we no longer need it. Information pertaining to your child's assessment and treatment will be safely and securely stored for seven years after your child turns 18, in line with recommendations on record keeping from the British Psychological Society (BPS) and the Health and Care Professions Council (HCPC). This is for healthcare, legal and professional reasons. After this time, we will carefully and confidentially delete all the information on a yearly basis (unless it relates to a court case). Information collected during initial enquiries, where we do not go on to work together and where we do not have any concerns about risk, are deleted after three months. Where there are concerns about risk that have resulted in us safety planning with you, making recommendations regarding reducing risk, or sharing information with other parties, we retain this information as outline above.

Your Rights over the information we hold about you and your child

Under the Data Protection Act 2018 and the General Data Protection Regulation (GDPR) 2018, you have rights over how your data is used:

- The Right to be Informed- We will always be clear about what data we have about you and your child, and what we do with it
- The Right of Access- You can request copies of your records at any time and we will respond to you within one month. Please note that sensitive information pertaining to a third-party, or information which might cause harm were it to be shared, may be redacted. Where requests are clearly unfounded, excessive or repetitive, we reserve the right to charge a reasonable fee for the cost of admin, or to refuse the request
- The Right to Rectification- It is important that the information we hold about you and your child is correct. Please let us know if we need to update or amend it
- The Right to Erasure and The Right to Restrict Processing- If requested, we will delete information about you and your child, or restrict what we do with that data, unless prevented to do so by certain legal and safeguarding obligations pertaining to information that makes up part of your child's health care record, which usually includes therapy records (see previous section about how long we keep information). In such cases we may be able to delete part of your information record and make additional safeguards to protect the remaining data, such as archiving it.
- The Right to Object- Please let us know if you have any concerns relating to how we collect and manage your data. If you are not satisfied with our response, you have the right to complain to Information Commissioner's Office (ICO; www.ico.org.uk; 0303 123 1113).
- The Right to Data Portability- Please let us know if you wish to receive a copy of your personal data and/or have your personal data transmitted from one controller to another controller.
- Rights in relation to automated decision-making and profiling are not directly relevant to the information we hold about you. If you would like to know more about these rights, please visit: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

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If you wish to exercise any of these rights over your data (e.g., request copies of your records, to amend incorrect information, erase your data or object to how we use your data) please let us know. This can be done verbally, in writing, or electronically, and we will be happy to help as much and as quickly as we can.

Changes to our Privacy Policy

We keep our privacy policy under regular review and will update any changes to this page. We may also contact you to inform you of changes to our privacy policy. This privacy policy was last updated on the 27th October 2022.

Please let us know if you have any questions or would like further information about how we manage your data.