

Calm Child Data Protection Policy

Introduction

The purpose of this document is to provide a concise policy statement regarding the Data Protection obligations of Calm Child. This includes obligations in dealing with personal data, in order to ensure that Calm Child complies with the requirements of the EU General Data Protection Regulation (GDPR) (2018). The policy aims to ensure Calm Child follows good practice, protects clients and itself.

Policy information	
Organisation	Calm Child
Scope of policy	<p>The policy covers both personal and sensitive personal data held in relation to Data Subjects, namely children and families, by the Data Controller, namely Zillah Harford. The policy applies equally to personal data held in manual and automated form.</p> <p>All personal and sensitive personal data will be treated with equal care. Both categories will be equally referred to as personal data in this policy, unless specifically stated otherwise.</p>
Policy operational date	1 st October 2018
Policy prepared by	Zillah Harford – Data Controller (Information Commissioner's Office Registration Number ZA463578)
Policy review date	1 st October 2021

Zillah Harford as a Data Controller

In the course of daily organisational activities, Calm Child acquires, processes and stores personal data in relation to:

- Children and parents/carers
- Third party service providers
- Supervision and quality assurance

Due to the nature of the services provided, there is regular and active exchange of personal data between Calm Child, children's parents/carers/school, service providers and a registered supervisor.

This policy provides the guidelines for exchange of this information.

Calm Child will ensure that all data will:

1. *... be obtained and processed lawfully, fairly and in a transparent manner.*

For data to be obtained fairly, children and parents/carers will, during an initial contact phase, be made aware of:

- The purpose(s) for which the data is being collected
- The person(s) to whom the data may be disclosed by Calm Child
- Any other information that is necessary so that the processing may be fair.

Calm Child will commit to meeting this obligation in the following ways:

- Informed consent of children and parents/carers will be sought during an initial meeting before any data is processed;
- Where it is not possible to seek consent, Calm Child will ensure that collection of data is justified under one of the other lawful processing conditions – legal obligation, contractual necessity, legitimate interests, etc.;
- Processing of personal data will be carried out only as part of Calm Child's lawful activities, and Calm Child will safeguard the rights and freedoms of children and families;
- Children's data will not be disclosed to a third party other than to a party who have contracted Calm Child to operate on its behalf and those previously specified.

2. *.... be obtained only for one or more specified, legitimate purposes.*

Personal identifiable information will be gathered for:

Referrals, quotations and contracts, assessment, review, evaluation, evidence, supervision, reports, minutes of meetings and feedback.

Calm Child will obtain the following specific, lawful and clearly stated data:

- Parents'/carers' personal contact details (name, address, phone number and email address)

This information will only be used to contact parents/carers or for reporting the progress and results of the therapy for quality assurance purposes. These details will only be shared outside for medical or legal purposes.

- Children's ages, sex, ethnic backgrounds and why they have been referred

Calm Child will use this information in reports circulated to contracting organisations. If the details contain names, Calm Child will mark reports as 'confidential', email them using Egress and store them securely. If information is shared with outside organisations, names will be changed so that children cannot be identified or traced.

- Measures based on the results of questionnaires

Parents/carers and professionals, such as teachers, will fill in questionnaires at the beginning of sessions, after they has started and at the end to see what changes have happened.

3. *be kept safe and secure.*

Calm Child will use a password protected laptop, with built-in encrypted software, and a locked storage box to protect all personal data under its care. These security measures will be taken to protect against unauthorised access to, or alteration, destruction or disclosure of any personal data held. Access to and management of children's records will be limited to those who have appropriate authorisation and access.

Notes about children will be taken during supervision. Notes containing children's names will be marked as confidential and stored securely. Once reports have been written supervision notes will be destroyed.

4. ... *be kept accurate, complete and up-to-date where necessary.*

Calm Child will:

- ensure that administrative and IT validation processes are in place to conduct regular assessments of data accuracy;
- conduct regular assessments in order to establish the need to keep certain personal data.

6. ... *be adequate, relevant and not excessive in relation to the purpose(s) for which data were collected and processed.*

Calm Child will ensure data minimisation, so that data processed in relation to children be relevant to the purposes for which data is collected.

Parents/carers will have the right to question the purpose(s) for which Calm Child holds data.

7. ... *not be kept for longer than is necessary to satisfy the specified purpose(s).*

Calm Child will keep personal data for a time deemed reasonable and necessary. Once the period has elapsed, or a case is closed, Calm Child will undertake to destroy, erase or otherwise put the data beyond use.

8. ... *be managed and stored in such a manner that, in the event parents/carers submit a valid Subject Access Request seeking a copy of personal data, this data can be readily retrieved and provided to them.*

Subject Access Requests

Any formal, written request by parents/carers for a copy of personal data will be processed as soon as possible, with the maximum response time being one month as per GDPR.

Portability Requests

Any formal, written request by parents/carers for a copy of personal data to be transferred to another therapy/medical service will be carried out within one month.

Rectification Requests

Any formal, written request by parents/carers for the update of personal data to rectify incorrect or out-of-date information will be carried out within one month.

Erasure Requests

Any formal, written request by parents/carers for the erasure or 'right to be forgotten' of personal data will be carried out within one month. Processes for exercising the right of erasure will be easy for families to access and understand.

Third Party Contractors

As Data Controller, Zillah Harford will ensure that any entity which processes personal data on Calm Child's behalf (a Data Processor) does so in a manner compliant with the Data Protection legislation. Failure of a Data Processor to manage data in a compliant manner will be viewed as a breach of contract and will be pursued through the courts.

Data Breach Reporting

All incidents (a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed) will be reported to the Office of the Data Protection Commissioner within 72 hours. Where devices or equipment containing personal or sensitive personal data are lost or stolen, the Data Protection Commissioner will be notified only where the data on such devices is not encrypted. The affected parents/carers of children will also be informed.

Data Breach Logging

All data breaches will be recorded in an incident log as required by the Office of the Data Protection Commissioner. The log will maintain a summary record of each incident which has given rise to a risk of unauthorised disclosure, loss, destruction or alteration of personal data. The record will include a brief description of the nature of the incident and an explanation of why the Office of the Data Protection Commissioner was not informed. Such records will be provided to the Office of the Data Protection Commissioner upon request.