

PRIVACY NOTICE

Educational Psychology (EP) casework and related involvement

This information sheet is intended for the school/organisation's key contact, the parent/s or person with legal responsibility for a child/young person and young people/adults 13 years or over, where this is appropriate. Children over 13 years and for adult subjects of casework, additional support may be needed to understand the language and/or implications of this information. If this is the case, contact your assigned EP or Jennifer Waite (Director) by emailing jennifer@waitepsychology.co.uk or by phoning [07702 068 694](tel:07702068694). For children under 13 years, see the additional 'child friendly' version of this Privacy Notice.

The purpose of this sheet is to explain:

- What personal and sensitive data is held by Waite Psychology Ltd.
- How you can get a copy of your data.
- The processes put in place by Waite Psychology Ltd to keep your data safe.

Consent (to carry out casework and related functions)

Consent to complete casework and/or related EP work is contained within the "Request for EP Involvement" form. EP casework cannot take place without the appropriate consent. Consent is given by the parent or person with legal parental responsibility for the child or young person (CYP). Consent may be given by the adult subject of casework or young people aged 13 or above, where appropriate. This is separate and different to the arrangements surrounding holding and processing personal/sensitive data.

To carry out the necessary functions associated with the casework requested:

- *Waite Psychology Ltd need to retain and process personal data from the school/organisation who wants the casework to happen and have commissioned that casework.*
- *The EP assigned to complete the casework on behalf of Waite Psychology Ltd needs to hold and process sensitive personal data.*

Data protection

Waite Psychology Ltd is registered with the Information Commissioner's Office (ICO). The service and employee EPs process and retain personal information in line with the regulation and requirements of Data Protection Act 1998 and regarding General Data Protection Regulations.

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Lawful basis for data processing – The EP casework

The EP works with the school/organisation to fulfil their contract; with the parent/person with legal responsibility or the adult subject who has given consent for casework to occur and the CYP 0-25 years, who is the subject of the casework.

The lawful basis for data processing within EP casework is around the “legitimate interests” of the EP to enable them to carry out the casework and EP related services, which have been requested by the school/organisation and the parent/person with legal responsibility.

In agreeing support and signing consent, you are entering into a contract with Waite Psychology Ltd. To fulfil this contract (i.e. for Waite Psychology Ltd to identify a child’s strengths and needs and decide how best to promote their development), Waite Psychology Ltd needs to gather personal information, use it to understand the situation and decide how best to help and to store this information securely as a record of professional involvement.

What personal data does Waite Psychology Ltd hold?

The categories of CYPs’ information that Waite Psychology Ltd collect, hold and share include:

- Personal information (such as name, date of birth, gender, school attended, parent/s’ contact details).
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility).
- Relevant information taken from school records (such as attendance data, assessment information, relevant medical information, special educational needs information, exclusions/behavioural information).
- Information gathered during consultations with staff from the referring organisation or family members of the CYP.
- Information gathered during observation and assessment of CYPs through the use of various processes and tools.
- Information gathered through various research methods (such as CYPs’ views about aspects of school, whole class group dynamics, group assessment information).

Classes of sensitive data

As you would expect, the assigned EP will take extra care in holding and processing casework data. An assigned EP assesses many areas of the casework subject’s functioning, including their cognitive, social, emotional, behavioural and physical functioning and gathers information concerning their health and family background and work completed by other

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professionals, such as through Social Workers, Paediatricians, Speech and Language Therapists, etc.

An assigned EP will not take more data than is required to carry out the casework requested, but they do need to access a range of data to fully understand the concerns and to assess and recommend how to improve the situation.

The assigned EP is a health professional and is subject to a **duty of confidentiality**. The assigned EP is registered by the Health and Care Professions Council (HCPC) and is entitled to practise under the title "Educational Psychologist".

Sensitive data may include:

- Physical or mental health details
- Sexual life
- Racial or ethnic group
- Religious or other belief of a similar nature
- Offences or alleged offences

Confidentiality and security

Personal and sensitive personal data is held, on behalf of Waite Psychology Ltd, by the assigned EP who carries out the casework and this is usually in the form of the reports they complete, associated background documentation and assessment related documents. Some of this information will be held as paper copies and some as electronic copies.

Why we collect and use personal and sensitive information

Data is collected to enable assigned EPs to undertake assessments, to determine the nature of CYPs' additional needs and to inform effective intervention plans and to fulfil a contact made to the person giving consent for Waite Psychology Ltd's involvement and to the referring organisation/school.

Data is retained as a record of involvement, which is to enable practitioners to continue to provide effective support to CYPs and the adults working with them.

Information gathered for research purposes is collected in order to support school improvement and will be used to identify areas for school development and to inform ways to achieve such positive development.

Who has access to personal and sensitive data?

Once received, it is always assumed that the parent/person with legal responsibility and school/organisation will retain copies of any assigned EP's report/s produced and they

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may pass these on to involved third parties, as appropriate, for the benefit of the casework subject. The school/organisation and any professionals or agency who are given the documents have a duty to keep the documents safe and secure. The original accepted report must not be altered in any way.

Information sharing of personal and sensitive personal data will take place with relevant professionals by the assigned EP as part of appropriate casework management, during the course of the involvement and beyond that, as is required and requested.

Where contact between professionals is additional to what has been consented to or discussed during the course of the casework or is considered as more unusual, the assigned EP will contact the parent/person with legal responsibility to see consent to this further contact. For example, if the assigned EP receives a request to send a copy of report direct to a medical professional they were not aware of being involved, they would check with the school/organisation and/or parent/person with legal responsibility. Following involvement, data may be shared, where this is requested, with agencies such as a Local Authority or NHS/Health Authority for the purpose of statutory processes. This might be concerning a request for or preparation of an "Education, Health and Care Plan". Where a safeguarding/child protection concern is raised, data will be shared with Social Care Authorities and/or with the Police. Data will be shared, when requested, where there are legal proceedings and/or where there is a legal requirement to share data.

Who will data not be shared with?

No individual personal or sensitive personal data will be shared with **any** third-party businesses, companies or organisations for the purposes of direct marketing or any other "business" purposes.

Usually, where research is completed, all personal identifying details are removed. No individual personal or sensitive information will be used or published for research purposes, unless there has been explicit and additional consent by the parent/person with legal responsibility and the school/organisation.

The assigned EP follows the guidelines of the British Psychological Society (BPS) concerning research. Please see **BPS "Code of Human research Ethics (2014)**.

<https://www.bps.org.uk/news-and-policy/bps-code-human-research-ethics-2nd-edition-2014>

Where data is held and stored?

All sensitive and personal data that is processed and held in electronic form will be password protected and encrypted in pdf/WORD or a similar format. This may be held

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within "cloud" as well as on a dedicated work computer (which is password protected) and access to which is restricted to the assigned EP only. Data will be backed up periodically and regularly to ensure it is not lost in the event of a computer failure or loss. The assigned EP will ensure that their computer is kept up to date with anti-virus and other security software and will ensure that the computer is locked and stored securely when not in use. Any paper copies of personal sensitive data will be stored in locked and secure cabinets at the office base of the assigned EP and paper data will be shredded by a licenced confidential shedding company periodically following review. A certificate of shredding will be kept by Waite Psychology Ltd.

When the assigned EP travels with paper copies of personal sensitive information, they will ensure that data is securely stored and **does not leave their sight**. For example, not left in a car/on public transport. Where an assigned EP takes an electronic device/computer with them as they travel, they will ensure that the screen cannot be read by those around them.

Any potential or actual data breeches will be reported to ICO within 72 hours, in line with existing ICO regulations and the Waite Psychology Ltd will inform those individuals whose data has been affected/may be affected.

Deleting and destroying data

Data will be held by Waite Psychology Ltd for an appropriate period of time for the purposes of future casework and for those professionals and agencies who may legitimately require the information.

Data will usually be kept for up to seven years following the casework completion. Waite Psychology Ltd may be asked for updates and reviews of casework from between one year to several years following the initial involvement. Waite Psychology Ltd may also be asked for copies of reports by agencies and professionals who have current involvement, for the purposes of background or legal processes. For this reason, assigned EP reports and related documents may ordinarily be kept by the Waite Psychology Ltd for up to seven years. Where there is no legal or clear reason to keep documents for longer than seven years, they will be destroyed securely and a record kept of the date of destruction and/or with certificates of shredding of paper copies. In rare circumstances, reports may be kept for longer than seven years and this may be due to particular circumstances, such as where a child or young person is 'looked after' and may have difficulty obtaining the report elsewhere or where there are other legal reasons to keep documentation. In these cases, Waite Psychology Ltd will complete a written record of the reasons to hold the data and review the data within specified timeframes to ensure it is not held indefinitely.

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Assessment test scores become less accurate with time and as a child/young person develops. After 12 months, test results become less reliable. Test results should not be relied upon as current after approximately three years, although reports and results may be useful to keep for background purposes after this point and may be required for legal or statutory purposes.

Data (paper copy and electronic) will be reviewed by Waite Psychology Ltd on a yearly basis and any personal and sensitive personal data, such as paper test scripts and other paperwork "unnecessary" to retain beyond that time, will be deleted/destroyed. This may be due to no contact/involvement and no known reason to hold that data.

Request for information

Following active involvement with the assigned EP, a request may be made to Waite Psychology Ltd by the subject of casework, parent/s or person with parental responsibility, key contact for a school, the Local Authority or relevant medical personnel, for access to reports, etc. This might be to inform school staff prior to transition to another school, due to further medical or professional involvement or due to lost documents. The person making the request will be asked to provide a copy of consent for this activity from the subject of the casework or the parent/s of the subject or the person with legal responsibility for the subject. Where the person requesting is the subject, parent/s or person with legal responsibility, they will be asked security questions to confirm identity and/or asked for documents, which confirm identity.

Subject access request

This is a request by an individual who wants to see a copy of all the data held about them. Where a request is made, the response from Waite Psychology Ltd will include the following:

- To be told if data about them is being processed
- Be given a description of the data
- If data will be/has been given to other organisations
- Given a copy of the data held and the source of that data

Waite Psychology Ltd will normally supply the data requested within four weeks (28 days) of the request, where that request is appropriate and not subject to exceptions detailed by Data Protection Act. The subject making the request will be asked security questions to confirm identity and/or asked for documents, which confirm identity.

Where a Subject Access Request or other request for a report is made after seven years and/or where the report requested has been destroyed, the person will need to contact the school/organisation where the assessment took place or the Local Authority, where a report has been used for statutory processes, for a copy.

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Contact

If you have any queries or concerns regarding data protection, security or any of the above information please contact your assigned EP or Jennifer Waite (Director) by emailing jennifer@waitepsychology.co.uk or by phoning [07702 068 694](tel:07702068694).



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