



Privacy Notice for Children, Young People and Families

1. About this privacy notice

Youth Arts and Health Trust takes the privacy and confidentiality of the children, young people and families we work with very seriously.

This notice explains:

- what information we collect;
- why we collect it;
- how we use it;
- how we keep it safe;
- who can see it;
- how therapeutic information is kept confidential;
- when we may need to share information;
- how long we keep information; and
- your rights in relation to your personal information.

We want children, young people and their families to understand what happens to information they share with us.

If there is anything in this notice that you do not understand, please ask us and we will explain it.

2. Who we are

Youth Arts and Health Trust (“we”, “us” or “the Charity”) provides creative arts therapy sessions and community arts opportunities to children and young people.

For the purposes of UK data protection law, Youth Arts and Health Trust is the data controller for personal information for which it determines the purposes and means of processing.

Charity name: Youth Arts and Health Trust

Registered charity number: 1170692

Registered Address: YAHT, YES Centre, 22 Cathedral Yard, Exeter EX1 1HB

Email: info@youthartsandhealth.org

People responsible for data protection:

Charity Director - Emma Marston

Email: e.marston@youthartsandhealth.org

Clinical and Operations Director - Sami Goulding

Email: s.goulding@youthartsandhealth.org

YAHT Board of Trustees have overall responsibility for data protection

3. What information do we collect?

The information we collect depends on the service being provided.

It may include:

Information about the child or young person

- name;
- date of birth;
- address;
- contact details;
- school or educational information;
- emergency contacts;
- referral information;
- attendance and appointment information; and
- information about the support they require.

Information about parents, carers and family

We may record:

- parent/carers names;
- contact details;
- family relationships;
- relevant family circumstances;
- emergency contact information; and
- information provided as part of a referral or assessment.

Health and wellbeing information

Because we provide therapeutic and wellbeing services, we may need to record information about:

- physical health;
- mental health;
- emotional wellbeing;
- household income;
- disability or additional needs;
- neurodiversity;
- medication where relevant;
- previous or current support; and
- other health information relevant to the service we are providing.

Therapeutic information

Where a child or young person receives art therapy or another therapeutic service, their registered therapist will need to keep appropriate professional records.

These may include:

- assessments;
- therapeutic plans;
- professional observations;
- session records or notes;
- information relevant to therapeutic progress; and
- relevant information shared during therapeutic sessions.

Safeguarding information

We may also need to record information concerning:

- safeguarding concerns;
- disclosures;
- risks to a child or another person;
- decisions made by our Designated Safeguarding Lead;
- referrals to safeguarding organisations or statutory services; and
- actions taken to protect a child or young person.

Health and therapeutic information is particularly sensitive information and receives additional protection under data protection law.

4. Why do we need this information?

We use personal information so that we can:

- provide safe and appropriate services;
- assess what support a child or young person may need;
- provide art therapy and other therapeutic support;
- communicate with children, young people and families;
- arrange and manage appointments;
- maintain appropriate professional records;
- monitor the safety and quality of our services;
- protect children and young people from harm;
- respond to safeguarding concerns;
- fulfil our legal and regulatory responsibilities;
- manage complaints or serious incidents;
- administer and manage the Charity; and
- demonstrate that our services are being delivered appropriately.

We only aim to collect information that we reasonably need.

5. Our lawful basis for using information

UK data protection law requires us to have a lawful reason for using personal information.

Different lawful bases may apply depending on what information we are using and why we need to use it.

Where we process particularly sensitive information, including information about physical or mental health, additional legal conditions apply.

Our relevant lawful bases and conditions are recorded within our data protection documentation.

Consent may be relevant to some activities, but consent is not necessarily the legal basis for every way in which we use information.

For example, there may be circumstances where we need to use or share information to protect a child even where consent has not been given.

6. Who can see your information?

We take a need-to-know approach to confidential information.

This means that working for Youth Arts and Health Trust does **not** automatically give someone permission to look at a child's or family's records.

People may only access information where they have an authorised reason connected with their role.

Different people therefore have access to different types of information.

7. Who can see therapy notes?

We recognise that information shared during therapy can be particularly private and sensitive.

The treating registered therapist

A child's or young person's registered therapist can access the information they need to provide appropriate therapeutic support.

This may include their therapy/session notes.

Other therapists

Another therapist does not automatically have access to all of another therapist's detailed session notes.

Access should only take place where there is an appropriate professional reason, for example continuity of care, authorised clinical cover, safeguarding or another legitimate professional requirement.

Clinical Director/ Designated Safeguarding Lead

Our designated safeguarding lead is also our Clinical Director who is a registered movement therapist

Charity Director / Designated Deputy Safeguarding Lead

Our Charity Director is also our Designated Deputy Safeguarding Lead ("DSL").

The Charity Director/DSL is not a registered art therapist and does not routinely read detailed therapy session notes.

The Director/Deputy Designated Safeguarding Lead may have access to information required to manage the Charity and fulfil safeguarding responsibilities, including:

- referral information;
- contact information;
- consent information;
- attendance information;
- relevant family information;
- safeguarding concerns;
- risk information; and
- safeguarding records.

If something arises during therapy that creates a safeguarding concern, and the Designated Safeguarding Lead is unavailable, then the therapist may need to tell the Deputy Safeguarding Lead about it.

The therapist should normally share the information that is necessary for the Designated Safeguarding Lead to understand and respond to the safeguarding concern rather than automatically providing the child's entire therapy record.

There may be exceptional circumstances where access to additional therapeutic information is necessary, for example to protect a child from harm, respond to serious risk, meet a legal requirement or investigate a serious incident.

Any such access must have an appropriate reason and should be limited to the information necessary.

Other members of staff

Other staff may have access to administrative information where they need it to perform their jobs.

For example, a member of staff arranging appointments may need to see contact and appointment information.

This does not normally mean they need access to detailed therapy notes.

Trustees

Our trustees do not routinely read identifiable therapy notes or family case records.

Where information is provided to trustees for governance and monitoring purposes, we aim to use anonymised or aggregated information wherever appropriate.

8. Confidentiality in therapy

We want children and young people to feel able to talk openly and safely with their therapist.

Information shared during therapy is treated as confidential.

However, confidentiality cannot always be absolute.

A therapist may need to share information if they are concerned that:

- a child or young person is being harmed or is at risk of harm;
- another child or person may be at risk;
- there is a serious risk to someone's safety; or
- there is another legal or safeguarding reason requiring or permitting information to be shared.

Where appropriate and safe to do so, the therapist will aim to explain to the child or young person what information needs to be shared and why.

There may be circumstances where it is not appropriate or safe to seek permission before sharing information, particularly where doing so could place somebody at greater risk or interfere with safeguarding action.

9. Safeguarding information

If a safeguarding concern arises, relevant information will normally be passed to our Designated Safeguarding Lead.

The Designated Safeguarding Lead will decide what safeguarding action may be required in accordance with our Safeguarding and Child Protection Policy.

This may include sharing relevant information with organisations such as:

- children's social care;
- health professionals;
- a school or education provider;
- the local authority;
- the police; or
- another appropriate safeguarding organisation.

We will aim to share only the information that is necessary and relevant to the safeguarding concern.

Protecting a child or another person from serious harm may mean that information needs to be shared without consent.

10. Will parents or carers see therapy notes?

We recognise that children and young people have privacy rights of their own.

Being a child's parent or carer does not necessarily mean that everything a child says during therapy will automatically be disclosed to that parent or carer.

When deciding whether information can or should be shared, we may need to consider:

- the child's age and understanding;
- the child's ability to make relevant decisions;
- parental responsibility;
- the child's expectations of confidentiality;
- the sensitivity of the information;
- safeguarding considerations;
- the therapist's professional responsibilities; and
- applicable law.

We will consider each situation carefully.

Parents and carers are encouraged to speak to the therapist or Charity Director if they have questions about confidentiality.

11. Do children and young people have privacy rights?

Yes.

Children and young people have data protection rights in relation to their personal information.

As a child develops sufficient understanding and capacity, they may be able to exercise these rights themselves.

Where appropriate, we will communicate directly with children and young people about their privacy in language suitable for their age and understanding.

12. Who else might we share information with?

Where necessary and lawful, we may share relevant information with organisations or professionals involved in supporting or protecting a child.

These may include:

- GPs and other healthcare professionals;
- schools and education providers;
- local authorities;
- children's social care;
- safeguarding partners;
- police;
- other therapeutic or support services;
- commissioners or funders where appropriate;
- regulators or professional bodies; and
- organisations providing authorised services to the Charity.

We do not give organisations unrestricted access to children's therapy records simply because we work with them.

Information sharing must have an appropriate purpose and legal basis.

Where possible, information used for monitoring, reporting or funding purposes will be anonymised or aggregated.

13. Do we sell personal information?

No.

Youth Arts and Health Trust does not sell children's, young people's or families' personal information.

We do not sell therapy information.

14. How do we keep information safe?

We use appropriate measures to protect confidential information.

Depending on the type of record, these may include:

- secure electronic systems;
- individual user accounts;
- passwords and authentication;
- restricted access permissions;
- secure devices;
- encryption where appropriate;
- secure storage of paper records;
- secure backups;
- access logs where available;
- staff confidentiality requirements; and
- data protection and safeguarding training.

Access to sensitive records is restricted according to people's roles.

We regularly consider whether individuals still require the access they have been given.

15. How long do we keep information?

We do not intend to keep personal information indefinitely.

Different types of records may need to be retained for different periods.

In deciding how long records should be retained, we take account of:

- legal requirements;
- safeguarding responsibilities;
- professional requirements relating to therapy;
- insurance requirements;
- the age of the child or young person;
- the nature of the service provided; and
- the reason the information was collected.

Our specific retention periods are set out in the Charity's Data Retention Schedule.

At the end of the appropriate retention period, information will normally be securely deleted or destroyed unless there is a lawful reason to retain it for longer.

16. Your right to access personal information

Data protection law gives individuals rights in relation to their personal information.

These include a right to ask for access to personal information held about them, subject to the relevant legal rules and exemptions.

Other rights may include asking us to:

- correct inaccurate information;
- restrict the way information is used in certain circumstances;
- erase information in certain circumstances; or
- consider an objection to particular processing.

These rights do not apply in exactly the same way in every situation.

Requests involving therapy records, safeguarding information, children's information or information about other people may require particularly careful consideration.

To ask about your information or exercise a data protection right, please contact:

Charity Director

Youth Arts and Health Trust

Email: Emma Marston: e.marston@youthartsandhealth.org

Clinical Director

Youth Arts and Health Trust

Email: Sami Goulding: s.goulding@youthartsandhealth.org

17. What if information is accidentally disclosed?

We take breaches of confidentiality seriously.

A data breach can include information being:

- sent to the wrong person;
- accessed by somebody without permission;
- accidentally disclosed;
- lost;
- stolen; or
- compromised through a security incident.

We have procedures for responding to suspected data breaches.

Where required by law, we will report a breach to the Information Commissioner's Office and/or inform the people affected.

18. Questions or concerns

If you have a question about how we use your or your child's information, please contact us.

Youth Arts and Health Trust Charity Director - Emma Marston

Email: e.marston@youthartsandhealth.org

Youth Arts and Health Trust Clinical Director - Sami Goulding

Email: s.goulding@youthartsandhealth.org

We will try to answer your question and resolve any concerns.

19. Complaining to the Information Commissioner's Office

You also have the right to raise a concern with the Information Commissioner's Office (ICO), the UK's data protection regulator.

Information about raising a data protection complaint is available from the ICO.

20. Our related policies

This Privacy Notice should be read alongside our:

- GDPR and Data Protection Policy;
 - Safeguarding and Child Protection Policy;
 - Charity Director / Designated Safeguarding Lead Confidentiality and Access to Therapeutic Records Protocol
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21. Our promise to children and young people

We know that talking to a therapist can involve sharing very personal thoughts, feelings and experiences.

We want you to understand what happens to that information.

Your therapy notes and anything you make or create during a therapy session are private. They are not available for everyone at Youth Arts and Health Trust to read or see.

Your therapist keeps records to help them provide you with appropriate support.

Other people will only have access to information where they have an appropriate reason to know it.

If your therapist becomes worried that you or somebody else may not be safe, they may need to tell our Safeguarding Lead or another appropriate person.

Where it is safe and appropriate, they will try to explain this to you.

We will always aim to treat information about you with **care, respect and confidentiality**.

Policy approved by the board of trustees: September 2026