



Irish Play Therapy Association (IPTA) is a professional body that aims to inform, promote and advocate for the practise of non-directive play therapy. IPTA establishes and strives to maintain professional standards of practice for any members affiliated to IPTA. Members are specifically trained to provide a theoretically oriented and child centred approach in their therapeutic interventions with children.

Play therapy is a modality of therapeutic intervention that encompasses working with children and adolescents from age 3 – 16.

The core values of play therapy are integrity, respect, and impartiality for clients. It is a non-exploitative process. Whether employed privately or by an agency, play therapists should observe the same commitment to ethical practise.

One of the core tenets of practice is the confidentiality aspect of client/therapist relationship. It is written into agreements made between parents/guardians/agencies acting on behalf of the child/adolescent prior to therapy commencing. The client (child/adolescent) is made aware that the content of their play therapy sessions is maintained in the strictest confidence. This trust element is vital for therapeutic growth and progress.

Play therapists are mindful of their statutory obligations under child protection guidelines, Children First and GDPR regulations and operate within the national framework of best practice in this regard.

IPTA would like to make a submission to GDPR as part of the Public Consultation on the Processing of Children’s Personal Data and the Rights of Children as Data Subjects.

In response to the consultation documentation IPTA would like to submit the following responses.

1.Children as data subjects and the exercise of their data protection rights:

Q. 1 – Methods to convey transparency could be 1.verbal as currently practised on client contact, 2.information booklet, picture or symbol representation of what is data and who may see it, how it is stored and protected and for how long, 3. Digital graphics or simplified visual graphics in story format – age appropriate to all.

Q. 2- Play therapy services are directly provided for children /adolescents- We would recommend that transparency information pertinent to the adult carers in their lives complies with GDPR guidelines and regulations.

Q. 3- IPTA is mindful of the sensitive nature that data in a therapeutic intervention gathers. IPTA recommends that children could make an access request at age of 18 - at an age where they can reasonably be determined to process sensitive data pertaining to their emotional wellbeing from a younger age.

Q. 4. IPTA recommends that a parent access their child's personal data only in circumstances that will further enhance and promote the well being of the child by the sharing of this information. IPTA considers that the confidentiality and relationship aspect of a therapeutic intervention must be considered as a right of the child and that this be safeguarded in the complementation of data regulations pertaining to same.

Q.5 – The child's right to privacy should be paramount in this area of therapeutic engagement. Therapists will willingly share with parents' information and concerns, recommendations and guidelines to promote well being, healing and recovery for the child- but the direct therapeutic play and any data pertaining to same should remain confidential to child/adolescent and therapist.

Q. 6 – IPTA suggests that Right to erasure should be at age of legal adulthood- 18.

Q. 7- IPTA recommends that a parent should be unable to make a right to erasure in the instance of therapeutic data- as it should remain to be the right of the child until child reaches age of majority.

II. Safeguards (A) Age verification (Article 8 GDPR)

Q.8 IPTA is too unfamiliar with current online methods services to comment, but would recommend that parental consent is needed in order to protect and copper fasten authentic verification.

Q. 10 Agree that online service providers should take the responsibility and lock out underage users.

III. Profiling and marketing activities concerning children (Articles 21-22 GDPR)

IV. Data protection by design and by default (Article 25 GDPR) The GDPR imposes a new obligation of data protection by design

Q. 14 IPTA advises and recommends to its members that the principles of data protection by design and by default be outlined in a pre-therapy agreement between parent/carers /guardians and therapist.

Q 15.Agree that in built privacy settings should vary according to age and evolving capacities of children.

V. General 16.

Q 16 IPTA would like to raise a concern we have re therapeutic sessional notes that are professionally kept by therapists. Under GDPR, whom is this data owned by? As therapists, these notes represent the therapeutic, reflective, and interpretative nature of counselling work and are hereto data pertaining to the work of the therapist. If parents can request same by data request, then the confidentiality understanding made between child/adolescent and therapist is gravely compromised. The ethical considerations of same are at risk under GDPR legislation and we recommend that this aspect of the child's rights be seriously considered. IPTA is in process of considering the rights of child vs. rights of parents in this context and in the light of GDPR regulations and are drafting recommendations as to best practise for its members. IPTA welcomes further consultation and discussion with the Data Commission Office on this matter- as professional practice recognises the guardianship rights of parents while also acknowledging the fundamental right of the child to confidentiality in the sensitive nature of therapeutic intervention.