



PRIVACY POLICY

Island Psychology Services Limited

Registered in Guernsey — Company Number CMP77041

Covering the Bailiwick of Guernsey (Data Protection (Bailiwick of Guernsey) Law, 2017) and the United Kingdom (UK GDPR and Data Protection Act 2018)

Document version	V2.0
Applies to	All clients and data subjects of Island Psychology Services Limited, wherever they are based, and all IPS services — therapeutic work, ADHD and autism assessments, and medico-legal assessments.
Data controller	Island Psychology Services Limited (CMP77041)
Guernsey ODPa registration	DPA4456
UK ICO registration	ZB268712
Contact for data queries	Dr Arthur Pearce, Director, at admin@islandpsychologyservices.co.uk

Introduction

This Privacy Policy explains how Island Psychology Services Limited (“IPS”, “we”, “us”) collects, uses, stores, shares, and protects personal data. It applies to everyone we hold data about — clients, assessees, parents and carers, and third parties referred to in our records — whatever the nature of the work: therapeutic work, ADHD and autism assessments, or medico-legal assessments, and wherever the individual is based.

IPS is registered in Guernsey. Guernsey has its own data protection law, the Data Protection (Bailiwick of Guernsey) Law, 2017 (“Guernsey Law”), which has been assessed as providing an adequate level of protection by both the UK and the EU. Many of our clients are based in the United Kingdom, where the UK GDPR and the Data Protection Act 2018 (together, “UK Law”) apply. The two frameworks are closely aligned and impose materially similar obligations on us and give individuals materially similar rights.

Rather than applying different standards to different clients, IPS applies the same policy and the same practical protections to everyone, and meets whichever of Guernsey Law or UK Law applies to a particular individual — defaulting to the higher standard where the two differ. Section 10 below sets out which regulator to contact depending on where you are based.

IPS is the data controller of your personal information. That means we decide what information is needed to provide our services and we are responsible for looking after it properly. Our Director, Dr Arthur Pearce, is the person accountable for data protection at IPS.

1. The services this policy covers

IPS provides three broad types of service, and this policy applies to all of them. The way we use data is similar across all three, but there are some important differences, particularly for medico-legal work, which are explained in section 4.

- Therapeutic work — individual or family psychological therapy, where you are our client and we owe you the ordinary duties of clinical confidentiality.

- ADHD and autism assessments — diagnostic assessment work, typically self-referred or GP/school-referred, resulting in a clinical report to you (and, with consent, to others such as your GP or school).
- Medico-legal assessments — independent assessments carried out at the request of an instructing party (for example a solicitor, court, tribunal, or insurer), resulting in a report provided primarily to that instructing party rather than to the person assessed.

2. What information we collect

We only collect information that is relevant to delivering the service you or the instructing party has asked us for. Depending on the nature of the work, this ordinarily includes:

- basic identifying details — name, date of birth, address, contact details, and (if relevant) those of a parent, carer, or legal representative;
- medical and psychological history, including existing diagnoses, treatments, and medication;
- educational and occupational history (particularly relevant to ADHD and autism assessments, and to medico-legal assessments concerning capacity, injury, or functioning);
- the content of the assessment or therapy itself — interview responses, questionnaire results, observational notes, test scores, and any recordings made with consent;
- correspondence with you, with any referrer or instructing party, and with other professionals involved (with appropriate permission);
- for medico-legal work specifically — instructions and background documents supplied by the instructing party, such as medical records, witness statements, pleadings, or collateral history from third parties;
- details of payments and invoices.

Information about your health is treated as special-category data under both Guernsey Law and UK Law and is given additional protection.

3. Why we need it, and our legal basis

We collect and use your information to carry out the work we, or an instructing party, have engaged IPS to do; to produce and deliver the resulting report; to administer bookings and payment; to comply with our legal, regulatory, and professional record-keeping duties; and to respond to safeguarding or public-safety concerns where the law requires or permits.

Therapeutic work and ADHD/autism assessments

Our lawful basis for processing your personal data is a combination of performance of the contract between you and IPS, and our legitimate interests in running a regulated healthcare practice. For special-category health data, we rely on your explicit consent, together with the basis of provision of health or social care. Under Guernsey Law, the equivalent conditions in Schedule 2 of that Law apply; under UK Law, the equivalent is Article 9(2)(a) and 9(2)(h) UK GDPR, consistent with Schedule 1 Part 1 of the Data Protection Act 2018.

Medico-legal assessments

Where we are instructed by a third party (for example a solicitor, court, or insurer) to carry out an independent assessment, our lawful basis is our legitimate interests, and those of the instructing party, in obtaining an independent expert opinion, together with the basis that processing is necessary for the establishment, exercise, or defence of legal claims. We do not rely on your consent as the basis for this processing, because a medico-legal assessment is not a therapeutic relationship you have entered into voluntarily in the same sense — you are usually attending because a legal process requires or invites it. Section 4 explains what this means in practice.

4. Important notice for medico-legal assessments

If you are attending IPS for a medico-legal assessment, the following applies in addition to the rest of this policy, and takes precedence over it where the two conflict:

- We are not acting as your treating clinician. We are an independent expert instructed by a third party (a solicitor, court, tribunal, or insurer) to prepare a report for use in legal or regulatory proceedings.

- The ordinary duty of clinical confidentiality that applies to therapy and diagnostic assessment does not apply in the same way. Our report is provided to the instructing party, and may be disclosed by them to the court, opposing parties, other experts, and others involved in the proceedings.
- We rely on background documents and collateral information supplied by the instructing party — for example medical records, witness statements, or third-party accounts — which we did not collect directly from you.
- Because the report is prepared for use as evidence, some of your ordinary data protection rights are more limited in this context — for example, we cannot alter or delete assessment findings simply because you disagree with them, though you can ask us to add a note recording your disagreement.
- Retention of medico-legal records may be longer than for other services, driven by the requirements of the court, tribunal, or relevant professional body, and by potential future litigation such as an appeal or complaint.

If anything about your role in a medico-legal assessment is unclear, please ask us, or ask the party who instructed the assessment, before it takes place.

5. How we store and protect your information

- We are a largely paperless practice. All clinical and administrative records are held on password-protected systems, with two-factor authentication, and with encryption in transit and at rest.
- Our practice management software is WriteUpp. Day-to-day documents are held in IPS's Google Workspace. Both providers are contractually bound to meet UK Law and Guernsey Law standards, including a valid data processing agreement with IPS.
- We may send emails and SMS messages for appointment reminders and routine communication. All electronic communications carry some residual risk even when encrypted. We will ask your preferences at or shortly after your first appointment, and you can change them at any time.
- Some sessions take place over telehealth (video consultation) platforms which meet healthcare confidentiality standards. We encourage you to attend those sessions from a private device on a private network.

6. Third parties who may see your information

With only limited exceptions, we do not share your information without appropriate consent or lawful basis. Where we do share it — always on a need-to-know basis — the main recipients are:

- your referrer, or the party who instructed a medico-legal assessment, where there is one;
- a clinical supervisor — an external HCPC-registered (or equivalent) professional with whom your clinician discusses cases for quality and safety, with identifying details anonymised as far as possible;
- OutSec — a secure UK transcription service that we sometimes use for correspondence, which is compliant with UK Law and Guernsey Law, with evidence available on request;
- AI-assisted transcription tools — currently WriteUpp's AI scribe and Plaud — used only with specific consent (see section 7). No identifiable information about you is used to train any AI model;
- third-party professionals — for example your GP, school, or employer — only with written consent and only to the extent authorised (this does not apply to medico-legal reports, which are shared with the instructing party as a matter of course);
- statutory authorities and regulators — only where required by law, for example the ICO, the Guernsey ODP, the HCPC or equivalent professional body, the police, a court or tribunal, or safeguarding authorities.

7. AI-assisted tools

Your clinician may ask whether you are happy for an AI-assisted tool (WriteUpp AI scribe or Plaud) to help produce accurate clinical notes from a session recording. These tools:

- are used only to improve clinical accuracy, not to replace clinician judgement;
- process information on infrastructure that meets UK Law and Guernsey Law standards, under written data processing agreements with IPS;

- do not share your data with any other party, and do not use your data to train any AI model;
- produce output that is always reviewed and taken responsibility for by your clinician before it becomes part of your record;
- are deleted from the tool once the final report has been delivered.

You can decline AI-assisted tools at any time without affecting your care. For medico-legal assessments, use of these tools is at the discretion of the assessing clinician and, where relevant, subject to the instructing party's agreement.

8. Cross-border data handling

Because IPS is based in Guernsey and serves clients in Guernsey, the United Kingdom, and occasionally elsewhere, personal data will often move between jurisdictions — for example between our Guernsey office and UK-based referrers, instructing solicitors, or service providers. Guernsey's data protection law has been formally recognised as adequate by both the UK and the EU, which means data can flow between Guernsey and the UK/EU without additional safeguards being required. Where we use service providers based outside Guernsey or the UK, we put appropriate contractual protections in place before any data is transferred.

9. Your rights

You have the following rights in relation to your personal data under both Guernsey Law and UK Law, which are materially the same. To exercise any of them, contact Dr Pearce at the address above. We will ordinarily respond within one month of a valid request; in complex cases we may extend that by a further two months and will tell you if we need to.

Right	What it means
Right to be informed	You are entitled to know, in clear language, what data we hold about you and how we use it. This document is part of meeting that right.
Right of access	You can ask for a copy of your personal data. We will provide it free of charge in most cases, within one month, subject to limited exceptions (including, for medico-legal work, exceptions relating to material prepared for legal proceedings).
Right to rectification	If information we hold is inaccurate or incomplete, you can ask us to correct it. For medico-legal reports, see the limits described in section 4.
Right to erasure	In certain circumstances you can ask us to delete your personal data. For clinical and medico-legal records there are professional and legal reasons why some information must be retained; we will explain these if they apply.
Right to restriction of processing	In certain circumstances you can ask us to stop processing your data while a query is resolved.
Right to data portability	In certain circumstances you can ask us to provide your data in a structured, machine-readable format so you can move it to another provider.
Right to object	You have the right to object to certain types of processing, including direct marketing and processing based on our legitimate interests.
Right in relation to automated decision-making	We do not use automated decision-making for clinical or medico-legal judgements. All findings and opinions are made by a qualified human clinician.

If you are not satisfied with how we have handled your personal data, you have the right to complain to the relevant regulator:

- If you are based in the United Kingdom — the Information Commissioner's Office (ICO), www.ico.org.uk.
- If you are based in Guernsey — the Office of the Data Protection Authority (ODPA), www.odpa.gg.

You may also raise a concern with us directly in the first instance, and we would welcome the opportunity to resolve it.

10. Children and young people

Children under the age of 13 rely on the consent of a person with parental responsibility in order for us to process their data and deliver services. Young people aged 13 and over can provide their own consent; in practice, for assessment and therapeutic work we will always seek consent from both the young person and the person with parental responsibility. For medico-legal assessments involving a child, consent and instruction arrangements will be agreed with the instructing party and, where appropriate, the person with parental responsibility, before the assessment takes place.

11. How long we keep your information

We keep clinical and administrative records for a minimum of eight (8) years after our last contact with you. For records of a minor, we keep them until the minor's 26th birthday or eight years after last contact, whichever is later. Medico-legal records may be retained for longer where this is necessary to meet the requirements of the instructing party, a court or tribunal, our professional indemnity insurer, or the possibility of an appeal or complaint. After the applicable retention period, records are securely destroyed. You can ask us to destroy records earlier, and we will do so where this is permissible under Guernsey Law, UK Law, and our professional standards.

12. Limits of confidentiality

Information disclosed to us during therapy or an assessment is confidential, save as set out in this policy and, for medico-legal work, in section 4. The limited exceptions where we may share information without consent are set out in our Terms and Conditions, and include: (1) serious and imminent risk of harm to yourself; (2) serious and imminent risk of harm to another identifiable person; (3) safeguarding concerns about a child or vulnerable adult; (4) a lawful court or regulatory demand; and (5) statutory reporting obligations.

13. Changes to this policy

We review this policy periodically to keep it accurate and to reflect changes in the law or in how we work. The current version and its date are shown at the top of this document. Where changes are significant, we will take reasonable steps to bring them to the attention of clients with whom we have an ongoing relationship.

14. How to contact us

If you have any questions about this policy or how we handle your data, please contact:

Dr Arthur Pearce, Director

Island Psychology Services Limited

Email: admin@islandpsychologyservices.co.uk