

| PRIVACY STATEMENT |

The new **Data Protection Bill** is currently being passed by Parliament (May 2018) and will replace the Data Protection Act (1998). The European Union **General Data Protection Regulations** (GDPR) were ratified in 2016 and immediately became European law. Enforcement of the EU GDPR is from 25th May 2018.

GDPR are the regulations which must be applied to the processing of personal data. GDPR is therefore a substantial part of the Data Protection Bill (which has not yet received Royal Assent and is therefore not yet an Act of Parliament).

GDPR lay down rules, backed up by criminal sanctions, for the processing of information about identifiable, living individuals. It also gives individuals rights in relation to personal data held about them by others.

In the UK, there is an independent authority which was set up to uphold information rights in the public interest, promote openness by public bodies and data privacy for individuals. This organisation is the Information Commissioner's Office (ICO) – you can access the ICO website [here](#).

DayBrookes SLT is committed to protecting the privacy of information provided by clients and takes this responsibility very seriously. We actively implement security measures to ensure the security of the personal information we process and audit these regularly.

We are constantly working to ensure compliance with current data protection legislation and regulation.

| Glossary |

Personal Data	Information about a living individual which is capable of identifying that individual
Processing	Anything done with / to personal data, including storing it
Data Subject	The person about whom the personal data is processed (your child/other family members)
Data Controller	The person or organisation who determines the purpose and manner of data processing
Data Processor	Any person who processes data

| Who We Are |

DayBrookes SLT has two Speech & Language Therapists (SLTs). Both clinicians are registered Data Controllers with the ICO, under the trading name of DayBrookes Speech & Language Therapy.

- Clair Brookes, 46 Denton Gardens, Ackworth, Pontefract, WF7 7PA. clair@daybrookesslt.co.uk 07957 437882
 - o **ICO Ref. ZA546837**
- Tracey Day, Ings Farm Cottage, Newton by Toft, Market Rasen, LN8 3NF. tracey@daybrookesslt.co.uk 07852 764459
 - o **ICO Ref. ZA544411**

Both SLTs are registered with the Health & Care Professions Council (HCPC), are members of the Royal College of Speech & Language Therapists (RCSLT) and the Association of Speech & Language Therapists in Independent Practice (ASLTIP). Details of registration and membership can be found [here](#).

| What Personal Data do we Need to Collect & How do we use this information? |

In order to provide an effective speech and language therapy service to your child, we need to collect personal data, which includes your child's name, age, address and information about their health, family/carers and education. This means that the data is sensitive personal information. We are therefore especially keen to ensure that we protect and safeguard this information.

When we collect, record, use and store this information in any way, we are processing that personal data.

Without personal information, we will not be able to provide speech and language support for your child. Our professional standards require us to keep clinical records on all clients. This record includes all the information that you share with us, along with our records of clinical activity with your child.

Personal data is collected via telephone, e-mail, in person, in the post and text messages. Most information will be received directly from you, but we may also receive information from relevant third parties (for example, a NHS speech & language therapist, a teacher, a paediatrician).

If there are any changes to the personal data that you have given DayBrookes SLT e.g. change of address, your child moves to a new nursery/school, then we ask you to tell us about these changes so that we can maintain accurate records.

We use information;

- To prepare, plan and provide speech & language therapy services appropriate for your child's needs
- To communicate with you via post, e-mail, telephone and text messages in relation to;
 - o Arranging, confirming and preparing for appointments
 - o General communication in-between appointments

- Sending you reports and programmes for your child
- Copying you in to communications with other professionals involved with your child
- Sending you resources
- Sending invoices
- For clinical audit to evaluate and improve our services. (Results of audits are always presented with client identities removed)
- For clinical supervision (discussion of cases for the professional development of the therapists). All information discussed is anonymous
- For administration (e.g. initials of clients are used in accounts, to attribute income and expense)

Whenever personal identifiers are not needed, then these are removed.

If we wish to use your personal data for a new purpose, not covered by this Privacy Statement, then we will provide you with a new notice explaining the new use, prior to commencing the processing and setting out the relevant purposes and processing conditions. We will seek your consent prior to the new processing.

|What is our Lawful Basis for Processing Personal Information?|

In order to comply with the GDPR Regulations and be lawful in our information processing, we must declare our lawful basis for doing so (Article 6 – GDPR).

Our lawful basis for processing and storing personal data is one of “legitimate interests” (Article 6 (f) – GDPR). Specifically, our legitimate interest is the provision of an effective speech and language therapy service for your child. By necessity, we need to process and store personal data in the form of your child’s clinical record.

Personal data relating to an individual’s health is classified as “special category data” (Article 9 - GDPR). We must specify the condition for processing special category data. Our condition for processing special category (health) data is for the provision of health care or treatment for the benefit of the data subject (Article 9 (2-h) – GDPR).

|How do we Store & Secure Personal Information?|

DayBrookes SLT complies with its obligations under the GDPR by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

All information about you, your child and their speech & language therapy is stored securely to ensure that we have a complete and accurate record of our involvement and service.

We process and store personal information using both electronic and paper based records.

Electronic records are;

- Stored on a password protected computer
- Individually encrypted
- Created, stored and processed within WriteUpp – a secure cloud based system, which is GDPR compliant and awarded ISO27001:2013 registration (Tracey Day only)

Paper records are;

- Stored in a locked cabinet
- Not removed unless by necessity
- If removed are kept with the speech and language therapist at all times

|Who Might Personal Information be Shared With?|

Your personal information will be treated as strictly confidential, and will only be shared when it is necessary in order to meet your child’s needs. The most likely people that we will share information with are; your child’s nursery/school, GP, NHS/other independent speech and language therapists working with your child, other health professionals e.g. paediatrician, occupational therapist, education services e.g. special educational needs services.

We will not release any personal information to a third party without first obtaining your consent, unless this is allowed for, or required by law. An example of a time we may not be able to seek prior consent to share information would be if we had a concern relating to safeguarding; i.e. if we were concerned that there was a risk to the health, safety or welfare of an individual.

We will not share information with any individuals or organisations outside the European Union (EU). DayBrookes SLT does not employ agents to process data. Information is not sold or given to any third parties, other than in the circumstances above, with your consent.

|How Long do we Keep Your Personal Data|

The GDPR states that personal data should not be kept for longer than is necessary.

As a result of the professional obligations placed upon us by professional and regulatory bodies, clinical records have to be retained (stored) until your child is 25 years of age (or 26, if they are 17 when treatment ends).

If your child has an Education, Health & Care Plan (EHCP) and a Special Educational Need or Disability (SEND), clinical records are retained for 35 years after completion of treatment.

Clinical records therefore must be retained as stated above. Once this retention period is met, all records relating to your child will be destroyed. Any personal information held by DayBrookes SLT that is additional to the clinical record will be deleted or destroyed once treatment is complete and your child is no longer receiving clinical intervention.

|Your Rights|

You have the following rights with respect to your personal data;

- The right to request a copy of your personal data held by DayBrookes SLT
- The right to have any data corrected if it is found to be inaccurate or out of date
- The right to withdraw your consent to the processing at any time*
- The right to request that the data controller provide the data subject with his/her personal data
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing**
- The right to object to the processing of personal data*
- The right to lodge a complaint with the Information Commissioner's Office

* please note that withdrawal of consent AND an objection to data processing would result in the termination of speech and language therapy services, owing to the essential need to process personal data. The personal data held at that time would still be retained and stored until your child was 25 / 26 years old (see section above; How Long do we Keep Your Personal Data?).

** the request of a restriction on processing would result in a suspension of speech and language therapy services, until processing is permitted once again.

There are two additional rights which **do not** apply;

- The 'Legitimate Interest' basis for the lawful processing of data means that the "right to portability" does not apply.
- The professional and regulatory obligations placed upon us mean that the "right of erasure" does not apply, as records must be retained (see section above; How Long do we Keep Your Personal Data?).

|How to Access the Personal Information held by DayBrookes SLT|

You can access the information we hold by writing to your therapist (please see contact details on page 1).

For children who are 13 years or older and have capacity to consent to a request for access to their personal information this will be provided directly to them.

|What Happens if there is a Breach of Data Protection?|

DayBrookes SLT is fully committed to protecting the personal data we process.

Under the new GDPR we have to tell you and the Information Commissioners Office (ICO) if there has been a breach of data protection. A breach of data protection is when some/all of the personal data we hold has been lost, stolen, accessed illegally, shared in error or without your consent to a third party.

It is very unlikely that there will be a breach of personal data. If this does happen then we will inform you and the ICO of this breach within 72 hours of DayBrookes SLT becoming aware. We will inform you and the ICO of the consequences of the breach of personal data and the steps we have taken to remediate this.

|Where can I Access More Information?|

If you have any further questions about this privacy statement then please do not hesitate to contact DayBrookes SLT by phone, email or in writing. Our contact details are:-

- Clair Brookes, 46 Denton Gardens, Ackworth, WF7 7PA. clair@daybrookesslt.co.uk 07957 437882
- Tracey Day, Ings Farm Cottage, Newton by Toft, Market Rasen, LN8 3NF. tracey@daybrookesslt.co.uk 07852 764459

You can also find more information on data protection and the GDPR Regulations [here](#).

The regulatory body for speech & language therapists is the [HCPC](#).

The professional body for speech & language therapists is [RCSLT](#).

The association for speech & language therapists working independently is [ASLTIP](#).

|Protection of Personal Information on the Internet & Mobile Technology|

Website

DayBrookes SLT has a website (www.daybrookesslt.co.uk) which is solely for the purpose of sharing information about our services. You do not need to provide any personal information when accessing the website.

The other relevant websites that we provide links for within the DayBrookes SLT website are outside of our control and are not covered by this Privacy Statement. DayBrookes SLT is not responsible for any data that you provide through external websites, accessed via the DayBrookes SLT website.

E-mail

E-mail is used to communicate with you about your child's treatment and the organisation and administrative responsibilities that support this. DayBrookes SLT seek to take every precaution to safeguard the security of information transmitted by e-mail. However, e-mail is not a guaranteed secure means of transmission.

E-mails may be accessed from laptop computers, mobile phones and iPads (see below).

Mobile Phone & iPad

For ease of communication, your therapist may store your contact phone number in her own mobile telephone during the time that your child is receiving treatment from a DayBrookes SLT. Once treatment ends, your contact number will be deleted from the mobile phone. Your name and number will be stored as a contact in the phone, but will not be identified as a 'client'; it does not therefore identify you as being in receipt of speech and language therapy services.

DayBrookes SLT therapists both use an iPad in the course of their work. No contact details of clients are stored on the iPads.

DayBrookes SLT therapists both have fingerprint and passcode security enabled on their mobile devices.

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