

Privacy Notice for Parent/Carers

Who is Susan Stewart?

Susan Stewart is a Speech and Language Therapist. She is registered with the Health and Care Professions Council (HCPC) and the Royal College of Speech and Language Therapists (RCSLT). This means Susan has to work by their rules.

She delivers independent speech and language therapy to young people at their school and or their home. She has to protect the privacy of information given by these young people and the people working with them.

What is 'personal information'?

Personal information means:

- Identifying information like your and your child's name, date of birth and contact details (e.g. address, phone number, email addresses).
- Your child's family, school/college name, how they are doing at school/college, and their overall developmental details
- The names of any people your child works with and their contact details

Personal information that is 'more sensitive' is called 'Special Category Data'. This may be information about someone's race, ethnic origin, genetics, health, sex life or sexual orientation.

Collection of Personal Information

Susan gets information about the young people she works with by:

- The school Special Educational Needs Co-ordinator giving her a referral form asking her to see the young person for Speech and Language Therapy assessment (with the parent/carer's permission)
- talking with parents/carers and the young person
- looking at written information that parents/carers show her
- young people letting her speak to other people they work with, to get information about them
- Parent/carers letting Susan contact other people working with their child (this may include education staff, NHS Speech and Language Therapists, GP, Mental Health Professionals, Youth Justice Professionals etc. as required).

Parental consent or the consent of the young person (if they are regarded as 'Gillick competent' i.e. able to understand sufficiently to consent for themselves) is needed to seek information from and share information with other professionals working with the young person.

Susan Stewart also stores information about the young person's family that is related to the young person's speech and language therapy management (e.g. Parent/carer name and contact details, any family history of communications needs).

Use of personal information

Personal information is collected by Susan Stewart through face to face discussion, phone calls, professional reports or letters, and sometimes secure email. This information is stored and used for the purpose of delivering your child's speech and language therapy.

Any sensitive personal detailed or special category information (e.g. health information) or criminal justice information (if applicable) is stored in a secure and confidential system. It is only used for the purpose of delivering speech and language therapy to your child.

Information about your child's speech and language therapy may be shared with professionals working with your child with your consent. A record of your consent to share this information is kept within your child's speech and language therapy case notes.

Unless Susan Stewart is required to share information by law (e.g. if the information shows your child or someone else may get hurt), personal information about your child would not be shared without your consent to any person other than as set out above.

Susan Stewart does not pay other people to process personal data.

Susan Stewart does not give or sell the details about the young people or their families to any third parties.

How Susan Stewart uses personal information

Susan Stewart may use information about your child to:

- Prepare, plan and provide speech and language therapy services for your child's needs.
- Communicate with you via post, secure email, telephone, mobile messages and SMS to:
 - Confirm and plan appointments
 - Communicate generally in between appointments
 - Send you reports and activity ideas for your child
 - Send you resources
 - Copy you into communications with other professionals involved with your child (your child's initials only (never their full name) would be used in any emails)
- To assess and improve her work through clinical audit. Results of audits would have all client identities removed.
- To manage her work load (the surnames of young people would be included on a spreadsheet).

How Susan Stewart stores personal information

All information about you, your child and their speech and language therapy is stored securely to ensure Susan Stewart has a complete record of her work with your child.

Paper based information is kept within a locked filing cabinet at Susan Stewart's address in accordance with Data Protection Regulations.

Case notes and reports are typed and stored electronically using a password protected laptop. Information is then printed off and securely stored in your child's paper speech and language therapy records for completeness.

The minimum amount of confidential information will be taken out of the Speech and Language Therapist's office to ensure continuity of care. It will be kept with the Speech and Language Therapist in a closed bag or locked within her car boot (whichever is deemed most secure at that time).

In accordance with law (the Limitations Act), all records will be kept securely until your child is 25 years old. This means the information can be used by Susan Stewart if needed for any tax and or legal requests. After this time all records relating to your child's speech and language therapy care will be destroyed by shredding.

Speech and Language Therapy Professional Standards and Rules

All Speech and Language Therapists must be registered with the Health Professions Care Council (HCPC). The HCPC has clear standards of conduct, performance and ethics that all registrants must keep.

These standards affect the way Speech and Language Therapists process and share information.

E.g. Standard 2: Communicate appropriately and effectively

'You must share relevant information, where appropriate, with colleagues involved in the care, treatment or other services provided to the service user'

E.g. Standard 10: Keep records of your work

'You must keep full, clear and accurate records for everyone you care for, treat or provide other services to. You must complete all records promptly and as soon as possible after providing care, treatment or others services. You must keep records secure by protecting them from loss, damage or inappropriate access'

Further information about these standards can be found at:

<http://www.hcpsuk.org/assets/documents/10004EDFStandardsofconduct,performanceandethics.pdf>

UK Data Protection Law and EU General Data Protection Regulations

Data Protection Law lays down wide ranging rules, enforced with criminal sanctions, for the processing of information about identifiable, living individuals. It also gives certain rights in relation to personal data held about them by others.

Susan Stewart is registered with the Information Commissioner's Office (ICO) as a Data Controller. You can view her data registration by visiting www.ico.org.uk

Susan Stewart's Lawful Basis for processing personal information

Susan Stewart's primary lawful basis for processing and storing personal information is one of 'legitimate interests' (under Article 6 of GDPR). She cannot adequately deliver a service to your child without processing their personal information. It is 'necessary' for Speech and Language Therapy service delivery to be able to analyse information about your child's speech, language and communication needs to inform appropriate intervention and monitor your child's progress. This means it is of benefit to your child for Susan Stewart to process and store their data; providing her with a legitimate interest.

She also processes personal data, special category and criminal convictions data under the lawful basis of consent only when this specifically relates to the purpose of gathering information from or sharing information about your child with some professionals (unless the law requires her to share information under safeguarding or legal obligations).

Data about an individual's health is called 'Special Category Data' (Article 9, GDPR). The regulations specify that health professionals who are 'legally bound to professional secrecy' may have a lawful basis for processing this data. Speech and Language Therapists as health professionals are legally bound to keep client information confidential and it is under this 'condition 9(2) h' that Susan Stewart processes and stores personal information.

Data about criminal convictions or offences is processed and stored using the lawful basis of legitimate interests and in the official capacity as your child's speech and language therapist (Article 6, Article 10, GDPR) by Susan Stewart. It is necessary for your child to have their communication needs understood and supported by any criminal justice professionals they may need to communicate with. This can be part of your child's speech and language therapy provision if required.

Our Responsibilities

Susan Stewart is committed to maintaining the security and confidentiality of your child's record. She actively implements security measures to make sure their information is safe and checks these regularly.

Your child's personal details will only be shared with a third party when you give consent to share it, unless sharing their personal details it is required by law.

Your Rights

The GDPR provides certain rights for children and their parents. The most important rights are

1. The right to be informed.

The information Susan Stewart provides to people must be concise, transparent, intelligible, and easily accessible. It must use clear and plain language. This privacy notice is written to make sure you know what information Susan Stewart processes about your child.

2. The right of access

You can ask for a copy of the information Susan Stewart holds about your child's speech and language therapy.

3. The right to rectification

You can ask for incorrect or misleading information to be updated. Susan Stewart will seek to check the accuracy of the new reported information to make sure your child's records are accurate. You may wish to inform the ICO of this.

In some cases the record of inaccurate or misleading information being entered in your child's records and then corrected, may need to be maintained.

4. The right to erasure

This is known as the 'right to be forgotten' but does not apply to your child's speech and language therapy data as this data is being processed by or under the responsibility of a professional subject to a legal obligation of professional secrecy (e.g. a health professional).

You may withdraw consent for Susan Stewart to deliver speech and language therapy to your child at any point. Any withdrawal of consent is noted in their records and the record archived and stored.

Susan Stewart has legitimate purposes to maintain professional insurance for the establishment, exercise or defence of legal claims, and legal obligations of professional secrecy as a health professional.

5. The right to restrict processing

This means you can ask for your child's data to be stored only and not used unless it is for a legal purpose in future.

6. The right to object

You can ask Susan Stewart to stop using your child's data at any time. This will mean their data would be archived and your child discharged from speech and language therapy.

7. Rights in relation to automated decision making and profiling

Susan Stewart does not use automated decision making.

How to access your child's records

You can access the information Susan Stewart holds about your child by contacting Susan Stewart on 07505094333. She will then make arrangements to confirm your identity before sharing any of your child's speech and language therapy record.

A copy of your child's record is provided free of charge within 30 days of receipt of all the necessary information.

If you have any further questions about how Susan Stewart uses your information please contact her on the phone number above.

Further information about data protection legislation and your rights is available from the Information Commissioner's Office, www.ico.org.uk 0303 123 1113 9am-5pm Monday to Friday.