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## GENERAL PRIVACY POLICY

**As part of changes to data protection legislation we have updated our General Privacy Policy. Please note that as there are likely to be many changes issued by the ICO over the upcoming months this document will be regularly updated.**

**Scope of Policy:** This policy details the minimum steps which must be taken when handling confidential personal data and replaces our Data Protection Policy 2017

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**Organisation:** Sarah Buckley Therapies Ltd.

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### INTRODUCTION

In the course of its activities Sarah Buckley Therapies Ltd may have to collect, store and process information about people with whom we work. This personal information must be handled and dealt with properly, however it is collected, recorded and used, and whether it be on paper, in computer records or recorded by any other means.

We regard the lawful and correct treatment of personal information as very important to our successful operation and to maintaining confidence between us and those with whom we carry out business. We will ensure that we treat personal information lawfully and correctly.

To this end we fully endorse and adhere to the principles of the General Data Protection Regulation (GDPR).

This policy applies to the processing of personal data in manual and electronic records kept by us in connection with delivering speech and language therapy, delivering training and in connection with our human resources function as described below. It also covers our response to any data breach and other rights under the GDPR.

This policy applies to the personal data of job applicants, existing and former employees, apprentices, volunteers, placement students, workshop attendees, workers and self-employed contractors and clients. These are referred to in this policy as relevant individuals.

See appendices for specific privacy notices which detail our legal basis for processing data.

Sarah Buckley Therapies Ltd is a registered data controller (Registration Number Z2598694) and work in accordance with Information Commissioners Office (see [www.dataprotection.gov.uk](http://www.dataprotection.gov.uk) for more information).

## DEFINITIONS

**“Personal data”** is information that relates to an identifiable person who can be directly or indirectly identified from that information, for example, a person’s name, identification number, location, online identifier. It can also include pseudonymised data.

**“Special categories of personal data”** is data which relates to an individual’s health, sex life, sexual orientation, race, ethnic origin, political opinion, religion, and trade union membership. It also includes genetic and biometric data (where used for ID purposes).

**“Criminal offence data”** is data which relates to an individual’s criminal convictions and offences.

**“Data processing”** is any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

**“Data controller”** is the person who determines the purpose for which, and the manner in which, any personal data is processed. They have a responsibility to establish practices and policies in line with GDPR legislation. Sarah Buckley is the data controller of all personal data used in Sarah Buckley Therapies Ltd.

**“Data users”** Includes employees and other workers whose work involves using personal data. Data users have a duty to protect the information they handle by following Sarah Buckley therapies Ltd data protection and security policies at all times.

## DATA PROTECTION PRINCIPLES

Under GDPR, all personal data obtained and held by us must be processed according to a set of core principles. In accordance with these principles, we will ensure that:

- a) processing will be fair, lawful and transparent
- b) data be collected for specific, explicit, and legitimate purposes
- c) data collected will be adequate, relevant and limited to what is necessary for the purposes of processing
- d) data will be kept accurate and up to date. Data which is found to be inaccurate will be rectified or erased without delay
- e) data is not kept for longer than is necessary for its given purpose
- f) data will be processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures
- g) we will comply with the relevant GDPR procedures for international transferring of personal data

## **COLLECTION OF PERSONAL DATA**

### **CLIENTS AND ENQUIRIES**

Before a referral is accepted, clients and their parents/ carers will receive the relevant referral/consent form. An episode of care may only begin once the relevant referral/ consent form has been signed and returned.

Information about your child may be collected via spoken or written information from parents/carers.

With parental consent, information may also be collected from other professionals working with your child (such as teachers, nursery staff, childminders, NHS Speech and Language Therapist).

We may also collect information about family members where this relates to your child e.g. contact details for parents and relevant medical or developmental history.

You may use the Sarah Buckley Therapies website without providing any personal information. However, if you wish to make an enquiry via email, you are requested to provide relevant contact details, such as your name, e-mail address and contact telephone number to enable us to respond to your enquiry. You may add comments or queries which might also contain personal information.

If your enquiry does not result in your child being seen by Sarah Buckley Therapies then this personal information will be archived for 6 months and then securely deleted and destroyed if we do not hear from you again within this period.

If your child is seen by Sarah Buckley Therapies following an enquiry, these details may be added to their personal record.

Client data may include, but is not limited to:

- Biographical information, e.g. name, address
- Assessment information, e.g. assessment results
- Therapy information, e.g. session notes, targets
- Liaison information, e.g. record of telephone conversations, letters
- Video and/or audio recordings of therapy or assessment sessions
- Observation information e.g. case notes, observation notes

All of the above information is required for our processing activities. We are collecting the above information under the lawful basis of legitimate interest.

### **EMPLOYEES**

We keep several categories of personal data on our employees in order to carry out effective and efficient processes. We keep this data in a personnel file relating to each employee and we also hold the data within our computer systems, and external cloud based services (HROnline) for example, our holiday booking system.

Specifically, we hold the following types of data: personal details such as name, address, phone numbers

- a) information gathered via the recruitment process such as that entered into a CV or included in a CV cover letter, references from former employers, details on your education and employment history etc
- b) details relating to pay administration such as National Insurance numbers, bank account details and tax codes
- c) medical or health information
- d) information relating to your employment with us, including:
  - i) job title and job descriptions
  - ii) your salary

- iii) your wider terms and conditions of employment
- iv) details of formal and informal proceedings involving you such as letters of concern, disciplinary and grievance proceedings, your annual leave records, appraisal and performance information
- v) internal and external training modules undertaken

All of the above information is required for our processing activities. More information on those processing activities is included in our privacy notice for employees, which is available from the Practice Manager.

## **INDIVIDUALS RIGHTS**

Data protection legislation gives you, various rights.

For employees, more information can be found on each of these rights in our separate policy on employee rights under GDPR.

For parents/carers of children, more information can be found in the Privacy Notice for Clients.

## **USE AND PROCESSING OF PERSONAL DATA**

### **CLIENTS**

Personal information collected by us via our website, email, telephone or face to face, is stored and used by us for the purpose of delivering your child's speech and language therapy.

With your consent, information about your child's speech and language needs will be shared with other professionals involved in your child's care, when it is in your child's best interests. A record of your consent is kept within your child's casenotes.

Unless we are required to do so by law, we will not disclose any personal information collected to any person other than as set out above. Circumstances where we may be required by law to share personal data may include, for example, a child protection concern. See our Safeguarding Children Policy.

We do not employ agents to process personal data, for example specialist mailing companies to send out communications.

We do not give or sell client details to any third parties.

How personal data is used:

- To prepare, plan and provide speech and language therapy services appropriate for your child's needs
- To communicate with you via post, email, telephone, mobile messages and SMS in relation to:
  - confirming and preparing for appointments
  - general communication in between appointments
  - sending you reports, targets, programmes and resources for your child
  - copying you in to communications with other professionals involved with your child
  - sending you invoices and receipts
- For clinical audit to assess and improve our service. Results of audits are always presented with all client identities removed

For management and administration, Sarah Buckley Therapies Ltd. uses Xero accounting software. Xero will process personal data on behalf of us as an eligible customer as per their EU data processing addendum. Whenever personal

identifiers are not needed for these tasks, if possible we remove them from the information we use. Further information is available on request.

## **EMPLOYEES**

Personal information collected by us prior to and during your employment, is stored and used by us in connection with human resources functions.

### **Criminal Conviction Data**

We will only collect criminal conviction data where it is appropriate given the nature of your role and where the law permits us. This data will usually be collected at the recruitment stage, however, may also be collected during your employment. We use criminal conviction data to determine your suitability, or your continued suitability for the role. As an organisation using Disclosure and Barring Service (DBS) to help assess the suitability of applicants for positions of trust, Sarah Buckley Therapies Ltd complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Certificates and Certificate information.

Sarah Buckley Therapies Ltd requests additional consent for appointed employees to carry out DBS checks using the DBS update service.

In accordance with section 124 of the Police Act 1997, DBS information is only passed to those who are authorised to receive it in the course of their duties.

### **Third Parties**

Where we engage third parties to process data on our behalf, we will ensure, via a data processing agreement with the third party, that the third party takes such measures in order to maintain the Company's commitment to protecting data.

## **DATA SECURITY**

All our employees are aware that hard copy personal information should be kept in a locked filing cabinet, drawer, or safe, in accordance with Data Protection Regulations.

Employees are aware of their roles and responsibilities when their role involves the processing of data. All employees are instructed to store files or written information of a confidential nature in a secure manner so that personal data is only accessed by people who have a need and a right to access them and to ensure that screen locks are implemented on all PCs, laptops etc. when unattended. No files or written information of a confidential nature are to be left where they can be read by unauthorised people.

Where digital data is stored, it will be located in a GDPR compliant secure cloud based system only accessible by two-factor authentication and only to employees with necessary access to the data. No personal data is to be kept on removable storage devices, local hard drives or desktops.

Employees must always use the passwords provided to access the computer system and not abuse them by passing them on to people who should not have them. Passwords to access our cloud storage are changed on a monthly basis.

All employees' mobile phones which have access to our cloud storage and emails are encrypted and only accessible through a 6 digit pin code.

Personal data relating to employees or clients should not be kept or transported on laptops, USB sticks, or similar devices, unless prior authorisation has been received.

Failure to follow the Company's rules on data security may be dealt with via the Company's disciplinary procedure. Appropriate sanctions include dismissal with or without notice dependent on the severity of the failure.

### **Deletion**

When documents are permanently deleted from our cloud storage device they are not recoverable.

Any documents that are stored on hard drives and laptops will be securely deleted. When equipment is to be disposed of, the drives are securely wiped and then taken to be recycled at a recycling centre.

### **Communications**

We expressly agree with clients that the use of e-mail is an acceptable form of communication, however confidential and sensitive information must not be shared via email.

When sending emails containing information about a client, all personal data will be removed. This includes removing name, DOB, address, school. Only first initial or client number may be used within the body of the email.

No documents containing personal data will be attached to an email. When employees share electronic versions of documents containing personal data they will be shared using only Egress and in PDF format.

Documentation that includes personal information shared via post is posted in a sealed envelope marked private and confidential.

## **DATA SECURITY BREACH MANAGEMENT**

All data breaches will be recorded on our Data Breach Register. Where legally required, we will report a breach to the Information Commissioner within 72 hours of discovery. In addition, where legally required, we will inform the individual whose data was subject to breach.

More information on breach notification is available in our Breach Notification policy.

## **RESPONSIBILITIES**

In order to protect the personal data of relevant individuals, those within our business who must process data as part of their role have been made aware of our policies on data protection.

We have also appointed employees with responsibility for reviewing and auditing our data protection systems.

## **LAWFUL BASES OF PROCESSING**

We acknowledge that processing may only be carried out where a lawful basis for that processing exists and we have assigned a lawful basis against each processing activity.

Please see the following policies which detail the legal basis we use for processing personal data:

Privacy notice for employees

Privacy notice for clients

If you do not fit into either of the above categories the lawful basis of processing your data will be outlined in documentation you receive from us.

However, we recognise the high standard attached to its use. We understand that consent must be freely given, specific, informed and unambiguous. Where consent is to be sought, we will do so on a specific and individual basis where appropriate. Individuals will be given clear instructions on the desired processing activity, informed of the consequences of their consent and of their clear right to withdraw consent at any time.

## **ACCESS TO DATA**

As stated above, individuals have a right to access the personal data that we hold on them. To exercise this right, individuals should make a Subject Access Request. We will comply with the request without delay, and within one month unless, in accordance with legislation, we decide that an extension is required. Those who make a request will be kept fully informed of any decision to extend the time limit.

No charge will be made for complying with a request unless the request is manifestly unfounded, excessive or repetitive, or unless a request is made for duplicate copies to be provided to parties other than the employee making the request. In these circumstances, a reasonable charge will be applied.

Further information on making a subject access request is contained in our Subject Access Request policy.

## **TRAINING**

New employees must read and understand the policies on data protection as part of their induction.

All employees receive training covering basic information about confidentiality, data protection and the actions to take upon identifying a potential data breach.

The nominated data controllers for the Company are trained appropriately in their roles under the GDPR.

All employees who need to use the computer system are trained to protect individuals' private data, to ensure data security, and to understand the consequences to them as individuals and the Company of any potential lapses and breaches of the Company's policies and procedures.

## **RECORDS**

The Company keeps records of its processing activities including the purpose for the processing and retention periods in its HR Data Record. These records will be kept up to date so that they reflect current processing activities.

## **INTERNATIONAL DATA TRANSFERS**

The Company does not transfer personal data to any recipients outside of the EEA.

## **DATA PROTECTION COMPLIANCE**

Our appointed compliance officer in respect of our data protection activities is:

Sarah Buckley

Contact details:

[info@sarahbuckleytherapies.co.uk](mailto:info@sarahbuckleytherapies.co.uk)

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