

Privacy and Data Policy

Communicate Your Way

May 2024



For the purposes of this policy “We”/“Us” refers to Communicate Your Way and “You” refers to you, the parent/legal guardian and child/young person. When you access services from Communicate Your Way you trust us with your information. This privacy policy is meant to help you understand what data we collect, why we collect it, and what we do with it. We have tried to make it as simple as possible but if you have any questions please contact us.

Ellie Pettigrew assumes the function of data controller and supervises the compliance with the General Data Protection Regulation (GDPR) within the business.

Contents of this document

1. [Information we collect](#)
2. [Where we get our information](#)
3. [How we use the information we collect](#)
4. [Information we share](#)
5. [How and when consent is obtained](#)
6. [How we protect your data](#)
7. [Protecting your rights to data](#)
8. [Security of your personal data](#)

1 Information we collect

Communicate Your Way holds personal data as part of conducting a professional service. The data falls under the following headings:

- healthcare records,
- educational records,
- clinical records,
- general administrative records, and

Ellie Pettigrew
Highly specialist Speech and Language Therapist

Privacy and Data Policy

Communicate Your Way

May 2024



- financial records.

1.1 Healthcare records

A healthcare record refers to all information collected, processed and held both in manual and electronic formats pertaining to the service user and their care. Speech and language problems can be complex, and a wide range of information may be collected in order to best meet the needs of the client and to maintain a high-quality service which meets best practice requirements. To provide a high-quality service, a range of information may be collected. Examples of data collected and held on all current and active clients include the following:

- Contact details: Name, address, phone numbers, e-mail address,
- Personal details: date of birth,
- Other contacts: name and contact details of GP and any other relevant healthcare professionals involved.

For child services:

- Parent/guardian details
- Description of family
- Educational placements.
- Pre- and post-natal history: This can include information relating to mother's pregnancy, and child's birth.
- Developmental data: developmental milestones, feeding history, audiology history.
- Medical details: such as any relevant illnesses, medications, and relevant family history. Reports from other relevant allied health professionals such as: Audiology,

Ellie Pettigrew
Highly specialist Speech and Language Therapist

Privacy and Data Policy

Communicate Your Way

May 2024



Psychology, CAMHS (Child & Adolescent Mental Health Services), Occupational therapy, Physiotherapy, Ophthalmology.

For adult services:

- Employment/vocational history
- Mental health

1.2 Educational records

Relevant Individual Educational Plans (IEPs) EHCP's (Education Health and Care Plans), progress notes from educational staff and school reports may be held.

1.3 Clinical records

Specific data in relation to communication skills may be collected and held, such as assessment forms, reports, case notes, e-mails, text messages and transcripts of phone. Audio and video files may also be collected and stored.

1.4 General administrative records

We may hold information regarding attendance reports and accident report forms.

1.5 Financial records

A financial record pertains to all financial information concerning the practice, e.g. invoices, receipts, information for Revenue. Communicate You Way may hold data in relation to:

- on-line purchasing history,
- card payments,
- bank details,
- receipts and invoices.

Privacy and Data Policy

Communicate Your Way

May 2024



Information will include the name of the bill payer, client name, address and record of invoices and payments made.

2 Where we get our information Personal data will be provided by the client, or in the case of a child (under 16 years), their parent(s)/legal guardian(s). This information will be collected as part of a case history form prior to, or on the date of first contact. Information may also be provided directly from relevant third parties such as schools, medical professionals and allied health professionals, with prior consent from the parent(s)/guardian(s).

3 How we use the information that we collect

We use the information we collect to provide assessment and therapy as per the relevant professional guidelines, as well as to maintain the general running of the business, such as running our online note system, keeping our accounts, and updating you on any changes in policies or fees. Information may also be used for research purposes, with the written consent of the client or parent/guardian.

3.1 Data retention periods

The retention periods are the suggested time periods for which the records should be held based on the organisation's needs, legal and/or fiscal precedence or historical purposes. Following the retention deadline, all data will be destroyed under confidential means.

3.2 Client Records

3.2.1 Clinical Records

Privacy and Data Policy

Communicate Your Way

May 2024



Communicate Your Way may keep both physical and electronic records of clinical data in order to provide a service.

- The preferred format for clinical data is electronic.
- For adults, clinical data is deleted/confidentially destroyed after 7 years from the last invoice.
- For children whose last invoice is before their 18th birthday, clinical data is deleted/confidentially destroyed 7 years after their 18th birthday.
- Clinical data used for research purposes, may be kept for longer than 7 years.
- Following the decease of a client, records will be held for two years from the last contact.

3.2.2 Financial Records

Communicate Your Way keeps electronic/paper records of financial data from those who use our services. Section 886 of the Direct Tax Acts states that the Revenue Commissioners require records to be retained for a minimum period of six years after the completion of the transactions, acts or operations to which they relate. These requirements apply to manual and electronic records equally.

- Financial Data is kept for 6 years to adhere to Revenue guidelines.
- Financial Data (including non-payment of bills) can be given to Revenue at Revenue's request.

3.2.3 Contact Data

Contact Data is kept for 6 years to allow processing of Financial Data if required. (This may be retained longer for safety, legal request, or child protection reasons.)

Privacy and Data Policy

Communicate Your Way

May 2024



3.2.4 Exceptions

If under investigation or if litigation is likely, files must be held in their original form indefinitely, otherwise, files are held for the minimum periods set out above.

4 Information we share

We do not share personal information with companies, organisations and individuals outside Communicate Your Way unless one of the following circumstances apply:

4.1 With your consent: We will only share your Personal Identifying Information (PII) to third parties when we have express written permission by letter or email to do so. We require opt-in consent for the sharing of any sensitive information. Third parties may include: hospitals, GPs, other allied health professionals, and educational facilities.

4.2 For legal reasons:

We will share personal information with companies or organisations outside of Communicate Your Way if disclosure of the information is reasonably necessary to:

- Meet any applicable law, regulation, legal process or enforceable governmental request.
- Meet the requirements of the Children First Act 2015.
- To protect against harm to the rights, property or safety of Communicate Your Way, our service users or the public as required or permitted by law.

4.3 To meet financial requirements: Communicate Your Way is required to share financial data with HMRC at the end of each tax year.

Privacy and Data Policy

Communicate Your Way

May 2024



4.4 For processing by third parties/external processing. At present there are no third parties/external services engaged in processing PII.

5 How and when we obtain consent

A consent form and a copy of our Terms and Conditions will need to be signed by the client before engaging our services. Copies of the signed consent forms and Terms and Conditions will be given to both parties.

Services cannot be initiated without ticked consent to our privacy policy. Should a client wish to withdraw their consent for data to be processed, they can do so by contacting Communicate Your Way.

6 How we protect your data

In accordance with the General Data Protection Regulation (GDPR), we will endeavour to protect your personal data in a number of ways:

6.1 By limiting the data that we collect in the first instance

All data collected by us will be collected solely for the purposes set out at 1 above and will be collected for specified, explicit and legitimate purposes. The data will not be processed any further in a manner that is incompatible with those purposes save in the special circumstances referred to in section 5.1. Furthermore, all data collected by us will be adequate, relevant and limited to what is necessary in relation to the purposes for which it is collected which include, inter alia, the assessment, diagnosis and treatment of speech, language and communication disorders.

6.2 By transmitting the data in certain specified circumstances only

Ellie Pettigrew
Highly specialist Speech and Language Therapist

Privacy and Data Policy

Communicate Your Way

May 2024



Data will be shared and transmitted, be it on paper or electronically, only as is required, and as set out in section 3.

6.3 By keeping only the data that is required

When it is required and by limiting its accessibility to any other third parties.

6.4 By disposing of/destroying the data once the individual has ceased receiving treatment

7 years after the completion of treatment, apart from the special categories of personal data as set out at 3.2 above. Where data is required to be held by us for longer than the period of 7 years, we will put in place appropriate technical and organisational measures to ensure a level of security appropriate to the risk. These may include measures such as the encryption of electronic devices, pseudonymisation of personal data, and/or safe and secure storage facilities for paper/electronic records.

6.5 By retaining the data for only as long as is required

Which in this case is two years except for circumstances in which retention of data is required in circumstances set out in part 3.2 above or in certain specific circumstances as set out in Article 23(1) of the GDPR.

6.6 By destroying the data securely and confidentially after the period of retention has elapsed.

This could include the use of confidential shredding facilities or, if requested by the individual, the return of personal records to the individual.

6.7 By ensuring that any personal data collected and retained is both accurate and up to date.

Privacy and Data Policy

Communicate Your Way

May 2024



This includes accurate note-keeping and documentation which is in line with the Speech and Language Therapists Code of Conduct (RCSLT) and Speech and Language Therapist's Standards of Proficiency (HCPC).

7 Protecting your rights to data

7.1 Adult clients

Adults have the right to request data held on them as per Article 15 of GDPR. A request must be made in writing. Further information regarding GDPR is available at: <https://www.gov.uk/data-protection>

7.2 Children

For children under the age of 16, data access requests are made by their guardians. When a child turns 16, then they may make a request for their personal data. However, this is subject to adherence with the Children First Act (2015).

8 Security

Communicate Your Way is aware of the need for privacy. As such, we aim to practice privacy by design as a default approach, and only obtain and retain the information needed to provide you with the best possible service. All persons working in, and with Communicate Your Way in a professional capacity are briefed on the proper management, storage and safekeeping of data. All data used by Communicate Your Way, including personal data, may be retained in any of the following formats:

- Electronic Data
- Physical Files

Privacy and Data Policy

Communicate Your Way

May 2024



The type of format for storing the data is decided based on the format the data exists in. At present, we endeavour for all files to be stored electronically to ensure their security.

Where applicable, we may convert physical files to electronic records to allow us to provide a better service to clients.

8.1 Data Security

Communicate Your Way understands that the personal data used to provide a service belongs to the individuals involved. The following outlines the steps which we take to ensure that the data is kept safe.

8.1.1 Electronic Data

All electronic data is contained in the following systems:

Qunote:

- Qunote is a provider of a clinical records system.
- The company is based in the United Kingdom.
- They are aware of their requirements under GDPR.
- All persons working at Communicate Your Way have appropriate access to records.
- All persons require a Login and Password to access records.
- A copy of the files is not made on the user's computer when in use.
- The data controller in Communicate Your Way can remove or delete users.
- The data controller in Communicate Your Way can change user's passwords.

Microsoft Outlook and OneDrive:

- Microsoft's data processing information can be found here:
<https://www.microsoft.com/en-ww/trust-center/privacy/data-management>

Ellie Pettigrew
Highly specialist Speech and Language Therapist

Privacy and Data Policy

Communicate Your Way

May 2024



- This is a cloud-based server used for the storage of draft files, working files and larger files that cannot be uploaded to Qunote. A copy of files may be made to Communicate Your Way devices while in use.
- This system regularly completes security patches and updates.
- This provider is aware of their requirements for GDPR compliance.
- All persons require a login and Password to access the files.
- Communicate Your Way can change user passwords.
- Two-factor authentication is enabled to ensure security in the event of password loss.

8.1.2 Physical Files

At present, there are no physical files kept containing PPI. Should the need for physical files be required, these will be kept safely in a locked container in a room with a key.

8.1.3 Use of Electronics

To meet our obligations to you, Communicate Your Way uses electronic devices (such as a mobile phone, laptop, iPad) and software (such as email, Word, Excel, OneDrive, WhatsApp, apps). The use of these services is beholden to that company's privacy policy.

For your reference, please visit:

Microsoft Privacy Policy:

<https://privacy.microsoft.com/en-gb/privacystatement>

Google Privacy Policy:

<https://policies.google.com/privacy?hl=en-US>

WhatsApp Privacy Policy:

Ellie Pettigrew
Highly specialist Speech and Language Therapist



Privacy and Data Policy

Communicate Your Way

May 2024



<https://faq.whatsapp.com/general/security-and-privacy/answering-yourquestionsabout-whatsapps-privacy-policy/?lang=en>

8.2 Security Policy

8.2.1 Communicate Your Way understands that requirements for electronic and physical storage may change over time. As such, the data controller at Communicate Your Way will regularly review the electronic and physical storage options available to us.

8.2.2 All physical devices used by persons working for Communicate Your Way, which may contain identifiable information, are equipped with remote wipe abilities.

8.2.3 All persons working at Communicate Your Way are aware of the requirements for good data hygiene. This compliance is monitored by the Communicate Your Way data controller and includes, but is not limited to:

- Avoiding client conversations in insecure locations.
- Enabling auto-lock on devices.
- Use of non-identifiable note-taking options (initials, not names).
- Awareness of the Communicate Your Way procedure should a possible data breach occur - due to either the theft or loss of a device or physical file.

Date of document: 10/05/2024