

# Data Protection and Privacy Policy for

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## The Speech Centre

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When you use The Speech Centre 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 to understand but if you have any questions please contact us. You can find contact details for your nearest branch on our website, [www.thespeechcentre.com](http://www.thespeechcentre.com)

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

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## 1. Information we collect

The Speech Centre 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, financial records, and employee 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. In order 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, Psychology, CAMHS (Child & Adolescent Mental Health Services), Occupational therapy, Physiotherapy, Ophthalmology, ENT, etc.

For adult services:

- Employment/vocational history
- Family and social history
- Mental health
- Medical details: such as any relevant illnesses, medications, and relevant family history. Reports from other relevant allied health professionals such as: Audiology, Psychology, Occupational therapy, Physiotherapy, Ophthalmology, Neurology, ENT, etc.

Other information may also be collected if it is relevant to a specific case.

## **1.2. Educational records**

Relevant Individual Educational Plans (IEPs), progress notes from educational staff and school reports may be held, as well as case notes relating to discussions with educational staff.

## **1.3. Clinical records**

Specific data in relation to communication skills or swallowing abilities 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**

The Speech Centre 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. The Speech Centre may hold data in relation to: attendance and purchasing history, card payments, bank details, receipts and invoices. Information will include name of bill payer, client name, address and record of invoices and payments made.

The Speech Centre may also hold supplier information, including the name, address and bank details of supplier.

## **1.6. Employee records**

As an employer, The Speech Centre holds employee records for each individual employee. These include CV, name, address, PPS No., date of birth, start and finish date of employment, garda and overseas criminal bureau vetting records, copies of identification, copies of qualification and training certificates, copies of car insurance details, revenue and employee registration documentation, and management and performance notes.

## **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)/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 client or parent(s)/guardian(s).

Personal data will be provided by the employee on commencing employment, and periodically during the period of employment as required to update records

## **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 electronic booking system, keeping our accounts, managing employee records, and updating you of 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. Healthcare, Educational and Clinical records, and general administrative records

The Speech Centre keeps both physical and electronic records of clinical data in order to provide a service.

- The preferred format for clinical data is paper.
- Clinical data is deleted or confidentially destroyed after 4 years from last invoiced session.
- Clinical data used for research purposes (with the client's permission) may be kept for longer than 4 years.
- Video or voice recordings relating to client care or videoconferencing records may be recorded with consent, analysed and then destroyed. If written consent is provided to use recordings for training purposes, the client will have the option to withdraw consent at any time.

### 3.2.2. Financial records

The Speech Centre keeps electronic and 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. Therefore;

- 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. Employee records

The Speech Centre keeps electronic and paper records of employee data for a period of 6 years after termination of employment by either party. This is to allow for accurate references to be given if requested for further employment or education opportunities, and to contribute to accurate Financial Data if required.

### 3.2.4. Contact Data

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

## 3.3. Exceptions

If under investigation or if litigation is likely, files must be held in 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 The Speech Centre unless one of the following circumstances apply:

#### 4.1. With your consent:

We will share personal information with other relevant health care providers or educational providers when we have your written consent to do so. We require opt-in consent for the sharing of any sensitive information.

#### 4.2. For legal reasons:

We will share personal information with companies or organisations outside The Speech Centre 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.
- Protect against harm to the rights, property or safety of The Speech Centre, our service users or the public as required or permitted by law.

#### 4.3. For processing by third parties/external processing

The following third parties are engaged for processing data:

Who	Type of data	Purpose
Administrative staff	Record keeping, typing, correspondence.	Updating records
Accountant	Financial	Processing financial accounts

### 5. Sharing Data

#### 5.1. Legal requirements

The Speech Centre is required to share data with external parties in the following circumstances:

- Compliance with local tax and audit laws.
- Compliance with child protection.
- Compliance with law enforcement.

#### 5.2. Financial requirements

The Speech Centre is also required to share financial data with our accountants at FDC Group in order to comply with local tax laws.

#### 5.3. Other parties

Any transfers outside the above which contain Personal Identifying Information (PII) to third parties such as hospitals, GPs, nursing homes, are only made once the owner of the data has given express written permission by letter or email to do so.

## **5.4. Transfer of personal data outside the EEA**

In certain instances, personal data may be transferred outside the EEA, e.g. to the US or other countries. This would be for specific purposes such as web-based appointment scheduling, or where a previous employee takes up employment outside the EEA. In such instances, The Speech Centre will use third parties which meet the privacy standards of GDPR.

## **6. How and when we obtain consent**

Prior to initial assessment or consultation, clients will be advised that this data protection policy is available to view on our website, [www.thespeechcentre.com](http://www.thespeechcentre.com). Prior to initial assessment or consultation, a consent form will need to be signed by the client (or in the case of a child (under 16 years), their parent(s)/guardian(s)) stating that they are aware of this data protection policy.

If using an online booking system, a consent form will be attached onto any initial bookings via the on-line booking system. Users will be directed to read the data protection policy and to tick to agree to the terms. Services cannot be initiated without ticked consent to our data protection policy.

In cases where services from the Speech Centre are obtained and provided to an individual on behalf of a hospital, nursing home, residential care centre, school, pre-school, education centre, training centre, or charity, a consent form will need to be signed by a person in authority at that service confirming that they have engaged our services as a supplier on behalf of their client and are aware of and agree to our data protection policy, and have provided their own privacy policy to the individual which includes consent that external suppliers may hold personal data.

Should a client wish to withdraw their consent for data to be processed, they can do so by contacting The Speech Centre.

## **7. 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:

### **7.1. 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.

## **7.2. By transmitting the data in certain specified circumstances only**

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

## **7.3. By keeping only the data that is required,**

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

## **7.4. By disposing of/destroying the data once the individual has ceased receiving treatment**

within 4 years of the completion of this treatment apart from the special categories of personal data as set out at 1.1 above. Where data is required to be held by us for longer than the period of 4 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, use of pseudonyms for personal data, and/or safe and secure storage facilities for paper/electronic records.

## **7.5. By retaining the data for only as long as is required**

which in this case is 4 years except for circumstances in which retention of data is required in circumstances set out at part 1.1 above or in certain specific circumstances as set out at Article 23(1) of the GDPR.

## **7.6. 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.

## **7.7. By ensuring that any personal data collected and retained is both accurate and up-to-date.**

## 8. Protecting your Rights to Data

### 8.1. 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 accessing your personal data are available in the document 'Rights of Individuals under the General Data Protection Regulation', downloadable from: [www.gdprandyou.ie](http://www.gdprandyou.ie)

### 8.2. Children

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

## 9. Security

The Speech Centre 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 The Speech Centre in a professional capacity are briefed on the proper management, storage and safekeeping of data.

All data used by The Speech Centre, including personal data may be retained in any of the following formats:

1. Electronic Data
2. Physical Files

The type of format for storing the data is decided based on the format the data exists in.

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

### 9.1. Data Security

The Speech Centre understands that the personal data used in order to provide a service belongs to the individuals involved. The following outlines the steps which The Speech Centre use to ensure that the data is kept safe.



### 9.1.1. Electronic Data

All electronic data is contained in the following systems:

Email:

- This system is physically located in Ireland.
- This system provider is aware of their requirements for GDPR compliance.
- The system has an administrator who is external to The Speech Centre, however this administrator does not have access to client records
- This system has a Live Update for security enabled.
- All persons working in The Speech Centre have READ/WRITE/ DELETE access to records.
- All persons require a Log on and Password in order to access the records.
- A copy of the files are not made on the users' computer when in use.
- The data controller in The Speech Centre can remove or delete users.
- The data controller in The Speech Centre can change users passwords.

Shared folders (Google Drive and Dropbox):

- The system has an administrator / Database owner who is external to The Speech Centre, however this administrator does not have access to client records.
- This system has a Live Update for security enabled.
- All persons working in The Speech Centre have READ/WRITE/ DELETE access to records.
- All persons require a Log on and Password in order to access the records.
- A copy of the files are not made on the users' computer when in use.
- The data controller in The Speech Centre can remove or delete users.
- The data controller in The Speech Centre can change users passwords.

Laptop computers:

- This system is physically located in Ireland.
- The system has an administrator who is internal to The Speech Centre
- This system has a Live Update for security enabled.
- All persons working in The Speech Centre have READ/WRITE/ DELETE access to records.
- All persons require a Password in order to access the records.
- A copy of the files are not made on the users' computer when in use.
- The data controller in The Speech Centre can remove or delete users.
- The data controller in The Speech Centre can change users passwords.

### 9.1.2. Physical Files

Physical data is located in one of the following physical premises:

Mount Merrion Medical Centre  
71 Deerpark Road  
Mount Merrion  
Co. Dublin

Sports Clinic West  
McHale Park  
McHale Road  
Castlebar  
Co. Mayo

Mallow Primary Healthcare Centre  
Mallow Business Park  
Mallow  
Co. Cork

Living Health Clinic  
Fermoy Road  
Mitchelstown  
Co. Cork

Killarney Medical Centre  
47 Lower New Street  
Killarney  
Co. Kerry

Oakview Village Childcare  
Oakview Village  
Tralee  
Co. Kerry

Suite 4  
Redmond Square Medical Centre  
4-7 Redmond Square  
Wexford

Knocknacarra Medical Centre  
Clybaun Road  
Knocknacarra  
Galway

Ballymague  
Buttevant  
Co. Cork

Only persons working in The Speech Centre have access to these records.  
These records are kept in a container secured with a lock and key.

If necessary a physical file may be transported from one premises to another, or to an alternative site where Speech and Language Therapy services may be provided from. This happens where records are needed in another location for the purpose of provision of speech and language therapy. Every care is taken during these times to ensure the security and confidentiality of personal data until the physical file can be returned to one of the addresses above.

## **9.2. Security Policy**

- 9.2.1. The Speech Centre understands that requirements for electronic and physical storage may change with time and the state of the art. As such, the data controller in The Speech Centre reviews the electronic and physical storage options available to The Speech Centre annually.
- 9.2.2. All physical devices used by persons working in The Speech Centre which may contain any identifiable personal information are password protected. They are not enabled with loss theft tracking and remote wipe abilities.
- 9.2.3. All persons working in The Speech Centre are aware of and briefed on the requirements for good data hygiene. This is refreshed annually. This briefing compliance is monitored by The Speech Centre data controller and includes, but is not limited to:
- Awareness of client conversations in unsecure locations.
  - Enabling auto-lock on devices when leaving them unattended, even within The Speech Centre locations.
  - Use of non-identifiable note taking options. (initials, not names).
  - The awareness of The Speech Centre procedure should a possible data breach occur, either through malicious (theft) or accident (loss) of devices or physical files.

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