



## Data Privacy Notice – May 2018

### About Me

- Nicola Fletcher is a Specialist Independent Speech and Language Therapist practising as Nikki Fletcher SLT.  
Website: [www.nikkifletcherslt.com](http://www.nikkifletcherslt.com)  
Phone Number: 07729873551
- I provide a Highly Specialist Speech and Language Therapy service to children between the ages of 0-8 years either in their homes, schools or nurseries. Referrals may be made and intervention commissioned by Legal Guardians or Educational settings.
- I am registered with the Health Care Professions Council and a member of The Royal College of Speech and Language Therapists (RCSLT) and Association of Speech and Language Therapists in Independent Practice (ASLTIP). Medical Malpractice and Public Liability Insurance is provided by Nova Underwriting Limited in line with membership of the RCSLT.
- Mrs Nicola Fletcher (45d Firgrove Hill, GU9 8LP) is registered with the Information Commissioner's Office (Reference: ZA064816) as a Data Controller and as a sole trader also acts as the Data Processor.

## **The Personal Data I collect**

I collect 3 main categories of data.

1. Personal Details – this includes names, addresses, contact details, child's school etc. of
  - a. children that I work with
  - b. their legal guardians
  - c. the commissioners of the Speech and Language therapy service if not the legal guardian (e.g. school)
  - d. students who carry out university placements with me
  - e. other professionals that I work alongside.
2. Health Care Records  
This includes
  - Developmental, medical, family and educational history
  - Assessment findings and observations
  - Targets set for Speech and Language Therapy intervention and progress and outcomes.
  - Session notes
  - Written reports and feedback documents
  - Reports from other professionals and Education Health Care Plans (where appropriate)
3. Media Files: Photos and Videos as part of an individual's speech and language therapy (visual resources or use of video feedback)

## Processing of your Personal Data

### How is this data collected, stored and processed?

| <i>Type of Data:</i>  |   |  |   |
|---|---|--|---|
| <i>1. Personal Details</i>  |   |  |   |
| <i>Why is it collected?</i>   | <i>How is it collected?</i>   | <i>Where is it stored?</i>   | <i>Lawful basis for processing data</i>   |
| <p>In order to provide the speech and language therapy service that the family or school wish to commission.</p> <p>To contact commissioners to request feedback on the service they have received.</p> | <p>Personal details are collected through spoken and written communication with the child's legal guardians or educational setting e.g. face to face discussions, telephone calls, emails, referral forms, website enquiries.</p> <p>Only information that is relevant or required to provide speech and language therapy services will be collected.</p> | <ul style="list-style-type: none"> <li>• Data is stored within the clients record in secure and encrypted cloud storage in either Box.com or My Therapy Tracker (hosted by Learning Logic)</li> <li>• Paper copies of online data may also stored during period of direct intervention. These are stored in a locked filing cabinet at the address registered with the ICO and shredded on discharge</li> <li>• Data provided by legal guardians/other commissioners via email may also remain on email in secure inbox provided by gmail.com until time of discharge.</li> <li>• Addresses required for home visits will also be stored in the therapist's online diary. This data will be anonymised to maintain confidentiality.</li> </ul> | <p>Personal details are processed under the lawful basis of 'legitimate interest' (Article 6 (1) (f) under the General Data Protection Regulation).</p> |

| <i>Type of Data</i>   | <i>2. Health Care Records</i>  |  |  |
|---|--|--|--|
| <p>In order to provide a high quality speech and language therapy services which complies with HCPC (Health Care Professions Council) Standards of Conduct, Performance and Ethics.</p> | <p>Developmental, medical, family and educational history information is gained from written and verbal communication with legal guardians, educational or other professionals.</p> <p>All other data is gathered through direct interaction with the child through observation, formal and information assessment and therapy intervention.</p> | <ul style="list-style-type: none"> <li>• Data is stored within the clients record within secure and encrypted cloud storage in My Therapy Tracker (hosted by Learning Logic) Children discharged before March 2018 or those currently seen under school-commissioned services may also have data stored on box.com</li> <li>• Paper copies of online data may also stored during period of intervention for ease of access/back up. These are stored in a locked filing cabinet at the address registered with the ICO.</li> <li>• Data provided by parents/other professionals via email (not including attachments which will be uploaded and deleted from email) may also remain on email in secure inbox provided by gmail.com until time of discharge.</li> </ul> | <p>Health Care documents are classed as 'Special Category data' and as such are processed under a 'Legal obligation' (Article 6 (1) (c) GDPR) and the processing of health data (Article 9 (2) GDPR) in order to maintain health care records as set out in the HCPC Standards of Conduct, Performance and Ethics.</p> |

| Type of Data   | 3: Media Files  |   |   |
|--|---|---|---|
| In order to support individual speech and language therapy intervention either through visual resources or the use of video feedback | Through recording or photography on an iPad used solely for the purposes of Nikki Fletcher SLT services and passcode protected. | All photos and videos will be uploaded and stored on secure online systems (either Box.com or My Therapy Tracker) and deleted from the device as soon as possible | Media files will be collected and processed in line with 'consent' (Article 6 (1) (a) GDPR) obtained from legal guardians at the start of or during speech and language therapy intervention. |

## Do you share my data?

Client confidentiality is of upmost importance and will be maintained at all times by keeping your data secure. Data will, however, where relevant, be shared confidentially and appropriately with other professionals involved with the client in line with my duty of care to share information with other health and social care providers as set out in the Health and Social Care Act (2012). Clients/their legal guardians will be informed of information sharing (unless in the case of safeguarding, see below) and information will be sought from families regarding the other relevant professionals involved with a child, at the start and throughout intervention. I am also duty bound to share any concerns regarding safeguarding (i.e. a risk or incidence of abuse or neglect) of any child or vulnerable adult with the relevant agencies.

## How long will the data be stored?

- Health Care Documents are Special Category data and as such are exempt from the 'right for erasure':
  - Under 'The Limitation Act' (1980) a child who has received SLT as a child has 6 years from the age of 18 to bring legal action if they feel any misconduct has taken place. Best practice guidelines therefore state (Information Governance, 2016) that client records should be retained until the child reaches the age of 25.

At this time the online record will be fully deleted. Any paper documents, however, will be shredded at time of discharge.

- Media Files and Emails that are not a key part of a child's health care record will be deleted as soon as possible and at the latest when discharged from Nikki Fletcher SLT Services.
- Email information and Media files that are relevant to the child's health care record will be uploaded to join the child's online file.
- Personal details form part of a child's health care record and will continue to be stored as such.
- Personal details provided by email or phone enquiry will be deleted unless the commissioner requests to be placed on a waiting list or offered an appointment.
- Personal details stored only on a waiting list will be deleted if the offer of an appointment is turned down unless otherwise requested.

### **How do you keep my data safe?**

- All data will be stored in secure and encrypted online cloud storage and not on individual devices.
- Use of up-to-date antivirus software
- Using secure file sharing facilities where possible and encrypted/password protected documents when sharing data via email and only shared with trusted email addresses.
- Keeping up to date with information from the ICO and other relevant organisations and reviewing/updating policies.

- Storing any paper documents in a locked cabinet (with the key in a hidden location), when not in use and not left unaccompanied during transportation.
- Anonymising data where ever possible e.g. in diaries, handwritten notes taken in sessions.
- Shredding will take place by a secure service provider

### **What are my rights?**

- You have the right to withdraw your consent for Speech and language Therapy intervention at any time and no further data will be collected.
- You have the right to withdraw your consent for the collection of media files in relation to your child's therapy while continuing to receive intervention from Nikki Fletcher SLT.
- You have the right to change your preferred methods of communication.
- You have the right to update any incorrect information and it is important that you inform me of any changes to your personal details so that I can keep your data accurate.
- You have the right to request a copy of the personal information that is held about you and your child. This is called a Subject Access Request and it is free of charge. All requests will be processed and completed within 30 days of receipt.
- Health care documents, as special category data are exempt from the right for erasure and will be maintained in line with the procedures set out in this policy.

## **Will you use my data for any other purposes?**

- Your child's personal data will never be used for marketing purposes or any other purposes other than those set out above.
- Your child's personal data will never be sold to or shared with any third parties for marketing or any other purposes.

## **How can I make a complaint?**

If you have a query or complaint please contact Nikki Fletcher on the details below in the first instance to discuss your concerns.

If I am unable to resolve your complaint or you wish to instigate a formal complaint you can contact:

- The Information Commissioner's Office if your complaint is regarding Data Processing [ico.org.uk/make-a-complaint](https://ico.org.uk/make-a-complaint)
- ASLTIP ([www.helpwithtalking.com](http://www.helpwithtalking.com)) or HCPC ([www.hcpc-uk.org](http://www.hcpc-uk.org)) if your complaint is regarding the Speech and Language Therapy service you have received.

## **Who can I contact if I have further questions?**

You can contact Nikki Fletcher: email: [Info@nikkifetcherslt.com](mailto:Info@nikkifetcherslt.com)

Phone: 07729873551

Post: 45d Firgrove Hill, Farnham, Surrey, GU9 8LP

*Please note this policy is likely to be updated as further information and advice about GDPR is provided. The latest privacy policy can be found on [www.nikkifetcherslt.com](http://www.nikkifetcherslt.com)*