



Speech and Language Dublin Data Protection Policy

When you use Speech and Language Dublin 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.

Aoife O'Reilly assumes the function of data controller and supervises the compliance with General Data Protection Regulation (GDPR) within the business.

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

Speech and Language Dublin holds personal data as part of conducting a professional service. The data follows under the following headings: healthcare records, clinical records, general administrative records, and 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, language and swallowing 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.
- Employment/vocational history
- Mental health history

1.2 Clinical records

Specific data in relation to communication and swallowing 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.

1.3 General administrative records

Speech and Language Dublin may hold information regarding attendance reports and accident report forms.

1.4 Financial records

A financial record pertains to all financial information concerning the practice, e.g. invoices, receipts, information for Revenue. Speech and Language Dublin may hold data in relation to: on-line 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.

2 Where we get our information

Personal data will be provided by the client. 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 next of kin, care professionals, medical professionals and allied health professionals, with prior consent from the client or next of kin (as appropriate).

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 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 next of kin (as appropriate).

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

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

- The preferred format for clinical data is electronic.
- Clinical data is deleted/confidentially destroyed after 2 years from last invoiced session. (Usually post discharge).
- Clinical data used for research purposes, may be kept for longer than 2 years.
- Video records/ voice recordings relating to client care/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

Speech and Language Dublin 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 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 Speech and Language Dublin 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. Speech and Language Dublin require opt-in consent for the sharing of any sensitive information. Third parties may include: hospitals, GPs or other allied health professionals.

4.2 For legal reasons:

We will share personal information with companies or organisations outside of Speech and Language Dublin 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 Speech and Language Dublin, our service users or the public as required or permitted by law.

4.3 To meet financial requirements:

Speech and Language Dublin also is required to share Financial data with our accountant in order to comply with local tax laws. Speech and Language Dublin is obtaining a copy of the accountant's own Data protection policy.

4.4 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 How and when we obtain consent

Prior to initial assessment, a link to the data protection policy will be provided to clients. A consent form will need to be signed by the client or next of kin (where appropriate) prior to commencing the service. A copy of the signed consent form will be given to both parties. Should a client wish to withdraw their consent for data to be processed, they can do so by contacting Speech and Language Dublin.

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, communication and swallowing disorders.

6.2 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.

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

This will be completed within 2 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 2 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

In this case data is retained for 2 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.

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.

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 accessing your personal data are available in the document 'Rights of Individuals under the General Data Protection Regulation', downloadable from: www.gdprandyou.ie

8 Security

Speech and Language Dublin, as with most providers of healthcare services 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 Speech and Language Dublin in a professional capacity are briefed on the proper management, storage and safekeeping of data.

All data used by Speech and Language Dublin, 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, Speech and Language Dublin may convert physical files to electronic records to allow us to provide a better service to clients.

8.1 Data Security

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

8.1.1 Electronic Data

All electronic data is contained in the following systems:

Dropbox Cloud:

- This system is physically located in data centres in the United States of America.
- This system provider is aware of their requirements for GDPR compliance.
- The system has an *internal to Speech and Language Dublin* Database administrator.
- This system *DOES NOT HAVE* a Live Update for security enabled.
- All persons working in *Speech and Language Dublin* 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 made* on the users' computer when in use.
- The data controller in Speech and Language Dublin *CAN* remove or delete users.
- The data controller in Speech and Language Dublin *CAN* change users passwords.

Outlook Email:

- This system is physically located in the United States of America.
- This system provider is aware of their requirements for GDPR compliance.
- The system has an *internal to Speech and Language Dublin* Database administrator.
- This system *DOES NOT HAVE* a Live Update for security enabled.
- All persons working in *Speech and Language Dublin* 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 Speech and Language Dublin *CAN* remove or delete users.
- The data controller in Speech and Language Dublin *CAN* change users passwords.

8.1.2 Physical Files

All physical data is located in: 9 Orchardstown Park, Rathfarnham, Dublin 14.

- This system is physically located at 9 Orchardstown Park, Rathfarnham, Dublin 14.
- ALL persons working in Speech and Language Dublin have access to these records.
- These records *ARE* kept in a container secured with a lock and key.

8.2 Security Policy

- 8.2.1 Speech and Language Dublin understands that requirements for electronic and physical storage may change with time and the state of the art. As such, the data controller in Speech and Language Dublin reviews the electronic and physical storage options available to Speech and Language Dublin) every 12 months.
- 8.2.2 All physical devices used by persons working in Speech and Language Dublin which may contain any identifiable PII are not enabled with loss theft tracking and remote wipe abilities.
- 8.2.3 All persons working in Speech and Language Dublin are aware and briefed on and refresh the requirements for good data hygiene every 12 months. This briefing compliance is monitored by the Speech and Language Dublin 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 Speech and Language Dublin locations.
 - Use of non-identifiable note taking options. (initials, not names).
 - The awareness of Speech and Language Dublin procedure should a possible data breach occur, either through malicious (theft) or accident (loss) of devices or physical files.

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