

Privacy Policy

When you use *Jessica McGrath Speech and Language Therapy* you trust us with your information. We place high priority on the security of your data. This privacy policy is 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 and if you have any questions, please contact us by email at jessicamcgrathspeechtherapy@gmail.com or in writing to Jessica McGrath Speech and Language Therapist, Fough West Park, Camp Street, Oughterard, Co. Galway H91ADW7.

Jessica McGrath Speech and Language Therapy 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

Jessica McGrath Speech and Language Therapy, holds personal data as part of conducting a professional service. The data comes under the following headings: healthcare records, educational 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/or 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 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.
- Teachers, SNA's, Principals' names, and school address.

For child services, data may include:

- Parent/guardian and sibling details
- 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.

1.2 Educational records

Relevant Individual Educational Plans (IEPs), progress notes from educational staff, e mails from teachers, 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

Jessica McGrath Speech and Language Therapy 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, and any information for Revenue. *Jessica McGrath Speech and Language Therapy* may hold data in relation to payments: 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, 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 parent(s)/guardian(s).

3. How we use the information that we collect

We use the information we collect, to provide appropriate 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 sometimes be used for research and training 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

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

- The preferred format for clinical data is electronic.
- Some clinical data will be in paper format.
- Clinical data is deleted confidentially and destroyed after 2 years from the last invoiced session, usually following discharge.
- 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.

3.3 Financial Records

Jessica McGrath Speech and Language Therapy keeps paper/electronic 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.

3.2.2 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 *Jessica McGrath Speech and Language Therapy* 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 of *Jessica McGrath Speech and Language Therapy*, 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 *Jessica McGrath Speech and Language Therapy*, 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
Accountant	Financial	Processing financial accounts

5. Sharing Data

5.1 Legal requirements

Jessica McGrath Speech and Language Therapy 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

Jessica McGrath Speech and Language Therapy also is required to share financial data with *Bernie Murtagh, Accountant* (the accountant), in order to comply with local tax

laws. *Jessica McGrath Speech and Language Therapy* has obtained a copy of the accountant's own Data protection policy. 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.

6. How and when we obtain consent

Prior to initial assessment or consultation, a Case History form and a Consent form will be provided to clients to be completed and signed. A copy of the signed consent form will be given to the client. Should a client wish to withdraw their consent for data to be processed, they can do so by contacting *Jessica McGrath Speech and Language Therapy*.

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 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.

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

Within two 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 two 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.

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

In this case, this is for two 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 disposing of/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 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.

8.2 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.

9. Security

Jessica McGrath Speech and Language Therapy 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 *Jessica McGrath Speech and Language Therapy* in a professional capacity are briefed on the proper management, storage and safekeeping of data.

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

9.1 Data Security

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

9.1.1 Electronic Data

The following electronic data systems are used:

Microsoft Office – for day-to-day administration of the business.

Microsoft's Privacy Policy can be found at <https://privacy.microsoft.com/en-us/PrivacyStatement>

Gmail – This email and cloud storage system is owned by Google and are used for the purpose of email contact and clinical data storage. Google's Privacy Policy can be found at <https://policies.google.com/privacy>.

Writeupp – This is an electronic data system that is used for storing clinical data and for invoicing and payment services. Writeupp privacy policy can be found here: <https://www.writeupp.com/privacy>. Writeupp use Stripe for invoicing and payment services. Stripe's privacy policy can be found here: <https://stripe.com/ie/privacy>.

9.1.2 Physical Files

All physical data is located at Jessica McGrath Speech and Language Therapy, Fough West Park, Camp Street, Oughterard, Co. Galway H91ADW7.

– These records are kept in a container secured with a lock and key.

9.2 Security Policy

9.2.1 *Jessica McGrath Speech and Language Therapy* understands that requirements for electronic and physical storage may change with time and the state of the art. As such, the data controller in *Jessica McGrath Speech and Language Therapy* reviews the electronic and physical storage options available to *Jessica McGrath Speech and Language Therapy* every 12 months.

9.2.2 All physical devices used by persons working in *Jessica McGrath Speech and Language Therapy* which may contain any identifiable personal data are enabled, where it is possible, with loss or theft, tracking and remote wipe abilities.

9.2.3 All persons working in *Jessica McGrath Speech and Language Therapy* are aware and briefed on and refresh the requirements for good data hygiene every *12 months*. This briefing compliance is monitored by the *Jessica McGrath Speech and Language Therapy* 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 *Jessica McGrath Speech and Language Therapy* locations.

§ Use of non-identifiable note taking options. (initials, not names).

§ The awareness of *Jessica McGrath Speech and Language Therapy* procedure should a possible data breach occur, either through malicious (theft) or accident (loss) of devices or physical files.

This privacy policy may change from time to time in line with legislation or industry developments. Any changes we may make to our privacy policy can be reviewed upon request.

This Privacy Policy was updated on 10th February 2024.