



## Therapy Privacy Policy

<b>Date established by governing body</b>
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Autumn Term 2023
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<b>Date for full implementation</b>
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Immediately
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<b>Date for review</b>
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Autumn Term 2025
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### 1 - Why do we have a privacy policy?

Cleaswell Hill School has a Privacy Policy that is available on our website. The Integrated Therapy Team Privacy Policy should be read in conjunction with the main policy.

Cleaswell Hill's Integrated Therapy Team is comprised of Occupational Therapists, Speech and Language Therapists and Therapy Assistants. Both professions are Allied Health Professionals and are governed by professional standards set by the Health and Care Professional Councils (HCPC), the Royal College of Occupational Therapists (RCOT) and the Royal College of Speech and Language Therapists (RCSLT). The Integrated Therapy Team therefore need to have this additional Privacy Policy to explain what personal data we hold, why we hold and process it, who we might share it with and your rights and freedoms under the law.

Cleaswell Hill School is registered with the Information Commissioners Office (ICO) as Data Controller. Cleaswell Hill School are a data controller and supervises the compliance with the General Data Protection regulations (GDPR) within school.

### 2 - Who are the Integrated Therapy Team?

The Integrated Therapy Team provide assessment and therapy to children within Cleaswell Hill School.

The Integrated Therapy Team staff can be found on the website.

Cleaswell Hill School is registered as a Data Controller. We are registered with the Information Commissioners Office. Our registration Number is: Z7327886

### 3 - What is Our Lawful Purpose for Processing Personal Information?

Our lawful basis for processing and storing personal information comes under Article 6 of the General Data Protection Regulations (GDPR) and is defined as a "legitimate interest". We need to process and store your/your child's information in order to provide therapy to your child. As it is both a necessity for our service delivery and of benefit to your child, we have a legitimate interest to process and store their data.

Article 9 of the GDPR sets out regulations for processing health information which is considered "Special Category Data". In this case health professionals that are "legally bound to professional secrecy" may have a lawful basis for processing data. Occupational Therapists and Speech and Language Therapists are legally required to be registered with the Health and Care Professions Council (HCPC). The HCPC outlines clear standards of conduct, performance and ethics that all registrants must adhere to. The standards relating to processing and sharing information are:

### *Standard 2: Communicate appropriately and effectively*

"You must share relevant information, where appropriate, with colleagues involved in the care, treatment or other services provided to a service user"

### *Standard 10: Keep records of your work*

"You must keep full, clear, and accurate records for everyone you care for, treat, or provide other services to. You must complete all records promptly and as soon as possible after providing care, treatment or other services. You must keep records secure by protecting them from loss, damage or inappropriate access".

For further information the full document can be found at: <https://www.hcpc-uk.org/standards/standards-of-conduct-performance-and-ethics/>

## **4 - What Information Do We Collect About You?**

The Integrated Therapy Team holds personal data as part of conducting a professional service. The data includes the following headings: healthcare records, educational records, clinical records, and general administrative records.

### **4.1 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. Therapy takes place with children with complex difficulties, and a wide range of information may be collected to 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 may 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 healthcare professional involved e.g. NHS therapists, Paediatricians, Health Visitor, Consultants, etc,
- Parent/guardian details,
- Description of family,
- Educational placements,
- Pre- and post-natal history: this can include information relating to mother's pregnancy and the child's birth,
- Developmental data: developmental milestones, feeding history, audiology history,
- Medical details: such as any illnesses, diagnosis, medication, allergies and relevant family history,
- Reports from other relevant allied health professionals: such as Audiology, Psychology, CAMHS (Child and Adolescent Mental Health Services), NHS Occupational Therapy, NHS Speech and Language Therapy, Physiotherapy, Paediatrician, Specialist Advisory Teachers,
- Educational Health and Care Plan documentation.

### **4.2 Educational Records**

Relevant Personalised Learning Intention Map targets (PLIMS's), Education Health and Care Plans and Outcomes(EHCP), Annual Review Documentation, progress notes from educational staff and school reports may be held.

### **4.3 Clinical Records**

Specific data in relation to physical, functional and communication skills will be collected and held, such as assessment forms, case notes, e-mails. Audio and visual files may also be collected and stored as long as parents have consented to this.

#### **4.4 General Administrative Records**

The Integrated Therapy Team may hold general information regarding caseload management and administration, e.g. number of clinical contacts in a timeframe relating to an individual child.

#### **5 - Where Do We Get Our Information From?**

Personal data will be provided by a child's (under 18 years) parent(s)/guardian(s). This information will be collected via our paper or electronic consent form.

With parental consent, information may be collected from other professionals working with your child (such as educational staff, NHS Speech and Language Therapists, NHS Occupational Therapists, NHS Physiotherapists, Paediatricians, Child and Adolescent Mental Health practitioners). We will also collect information about family members where this relates to the provision of therapy to your child, e.g. parent/carers contact details, relevant medical history.

Our website may contain links to other internet site which are outside our control and are not covered by this Privacy Policy. We are not responsible for data which you provide through any such linked website.

#### **6 - What About Cookies?**

Cleaswell Hill School's main Privacy Policy has a cookie policy that outlines the data we collect and how it is used. It is available from our website <https://cleaswellhill.northumberland.sch.uk/privacy-policy/>

#### **7 - How Do We Use Your Personal Information?**

Personal information collected by the Integrated Therapy Team is used to provide assessment and therapy as per the relevant professional guidelines.

Examples of how we use this information are:

- a) To plan, prepare and carry out Occupational Therapy and Speech and Language Therapy appropriate for your child.
- b) To communicate with you via post, email, telephone in relation to:
  - Arranging, confirming and preparing for appointments.
  - General communication between appointments.
  - Sending you reports and programmes for your child (which will be password protected if sent via email).
- c) For clinical audit to assess and improve our services. Results of audits are always presented with all client identities removed.

Wherever possible personal identifiers are removed from these tasks.

Information may be used for research purposes only with the written consent of the client's parent/guardian.

#### **8 - How Long Do We Keep Personal Information?**

In accordance with the law all records will be kept securely until your child reaches 25 years of age. For those aged over 18 years the information will be kept for 7 years after the

date of discharge. After this time all records relating to you/your child will be destroyed under confidential means.

Video records/voice recordings relating to client care 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.

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

## **9 - What Information Do We Share?**

We do not share personal information with companies, organisations and individuals outside of Cleaswell Hill School unless one of the following circumstances apply:

a) With your consent

We will only share your personal information with third parties when we have written permission. We gather written, opt-in consent for the sharing of any personal data.

Third parties may include: hospital's, GP's, Educational Psychologists, Local Educational Authority staff administering Education, Health and Care Plans.

b) For legal reasons

We will share personal information with companies and organisations outside of Cleaswell Hill School if disclosure of the information is reasonably necessary to meet any applicable law, regulation, legal process or enforceable governmental request.

Please note that if information is disclosed which relates to a child protection issue it is the duty of care of the professional to disclose this information to the appropriate authority in accordance with the Safeguarding of Children Act 2004.

## **10 - How Do 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:

a) By limiting the data in certain specified circumstances only.

All data collected by us will be collected solely for the purposes set out above and will be collected for specified, explicit and legitimate purposes. 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 assessment, diagnosis and treatment by an Occupational Therapist or a Speech and Language Therapist.

b) 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, as set out in section 7.

c) By keeping only the data that is required.

Only data required by our professional guidelines, by law and to administrate the legitimate running of the therapy department in Cleaswell Hill School will be retained by us.

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

Section 8 outlines retention periods for different kinds of data. We will put in place appropriate technical measures to ensure a level of security appropriate to the risk. These will include measure such as safe and secure storage facilities for paper/electronic records.

- e) By retaining the data for only as long as it is required.  
Which in this case is until a child reaches 25 years of age or 7 years after therapy has ceased for adults, whichever is longer, except for circumstances in which retention of data is required in certain specific circumstances as set out at Article 23(1) of the GDPR.
- f) By destroying the data securely and confidentially after the retention period has elapsed.  
This could include the use of personal shredding facilities or a confidential shredding facility provided by a third party.
- g) By ensuring that any personal data collected and retained is both accurate and up-to-date.

## **11 - What Security Measures Do We Use?**

The Integrated Therapy Team, as with most providers of healthcare services, is aware of the need for privacy. As such we aim to practise privacy by design as a default approach, and only obtain and retain the information needed to provide you with the best possible service.

All data used by the Integrated Therapy Team, including personal data may be retained in any of the following forms:

- Electronic data
- Physical files

Physical files can be converted to electronic files, for example, when a child is no longer actively seen for therapy but their records need to be retained for a period of time as required by law their physical record will be converted into a secure electronic format, or when uploaded to the electronic records system 'WriteUpp'.

### **11.1 Physical files**

All information about you, your child and their therapy is stored securely in our system to ensure that we have a complete record of our service to them. All confidential information, including informal and formal assessments, copies of letters, reports and e-mails are stored securely, in accordance with Data Protection regulations, in individual client files in Cleaswell Hill School in a lockable filing cabinet. Only the staff within the Integrated Therapy Team have access to these records.

### **11.2 Electronic data**

The Integrated Therapy Team uses a third party system called 'WriteUpp' to record, manage and store case notes, assessment records and reports that are not held in paper form. Most of our records are stored in this way. Details of WriteUpp's compliance with GDPR and data policy are available from their website [www.writeupp.com](http://www.writeupp.com). They use two-factor authentication log-in and encrypted data replication to keep the data they store for us safe. All electronic devices that access WriteUpp are protected by a password and/or fingerprint login in addition to the two-factor authentication required by 'WriteUpp'.

Documents that contain confidential information, such as reports and programmes, may be stored on password protected laptops or computers.

Videos/visual recordings may be taken of clients with parent/guardian consent. Video's will be viewed by the therapist in order to make notes in a client record or used as part of

therapy. Once it is no longer required it will be deleted and when not in use stored on an encrypted, password protected memory stick, or in a secure folder within the School Computer Portal System.

Data from those clients discharged (i.e. no longer receiving therapy) from the Integrated Therapy Team will, if they have any paper data, have it transferred to an electronic record. This will be combined with any data currently in an electronic form (e.g. emails), whole electronic record from 'WriteUpp' system and transferred to an encrypted, password protected memory sticks that are kept in a locked filing cabinet in Cleaswell Hill School.

## **12 - How Do We Transmit Data?**

When transmitting data electronically the Integrated Therapy Team uses web hosting and email systems that are compliant with the General Data Protection Regulations (GDPR). Reports/summaries or other information containing client identifying information are sent password protected and this password will not be contained within the communication in which it is being transmitted. If reports and messages containing personal data are sent electronically they will be sent to identified, individual email addresses not generic ones and contain the words "strictly confidential/restricted data" and password protected.

Paper data sent by post will be clearly marked confidential, only if strictly necessary and with the minimum required amount of personal data to meet the purpose for which it is being sent.

## **13 - What Rights Do I Have And How Do I Access My Record**

Data protection legislation gives you, the parent or guardian, rights with regards to your own and your child's personal data. You have the right to:

- Be informed about the personal data we hold and why we hold it.
- Access a copy of your/your child's data that we hold by contacting us directly.
- Ask for your record to be amended if you believe that it is wrong.
- Have your data erased in certain circumstances.
- Transfer your data to someone else if you tell us to do so and it is safe and legal to do so.
- To tell us not to actively process or update your data in certain circumstances.

## **14 - How Can I Access My Data?**

You can access the information we hold about you and your child by writing to us at the following address:

Juliet Ruddick, Lead Therapist  
Cleaswell Hill School  
School Avenue  
Guide Post  
Northumberland  
NE62 5DJ

We will provide access to the data we hold on you/your child within 30 days of receipt of all necessary information.

## **15 - How Do We Comply with UK Data Protection Law and EU General Data Protection Regulations**

The Integrated Therapy Team is committed to maintaining the security and confidentiality of our service users and process and store their data in compliance with the law. Our policies and procedures state that regular audits and risk assessments are carried out and

information on changes to legislation is shared by our Data Controller with our Data Processors.

Any breach to these policies or procedures where there is likely to be a "risk to the rights and freedom of an individual" will result in the Information Commissioners Office (ICO) being informed within 72 hours of the Data Controller becoming aware. In the case of a serious, high risk breach then you (the "Data Subject") will also be informed.

Further information about data protection legislation and your rights is available from the Information Commissioner's Office or by calling 0303 123 1113, 9am to 5pm, Monday to Friday.

#### **16 - When will This Policy Be Reviewed**

This policy will be reviewed and updated (if appropriate) in August 2023, unless any necessary changes are identified in the meantime, when it will be updated sooner.

#### **Relationship to other policies:- Data Protection Policy**

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