



Date March 2021
Review April 2022

HAPPY TALK LTD - PRIVACY POLICY

Please read this Document in association with our Consent Form.(Appendix 1)

*“You / Your” relates to those children and young people who are considered competent to understand the implications of the *GDPRs and agree to consent to their own personal data being stored and processed for the purpose of speech and language therapy assessment and support, i.e. “the client or service user”.*

REFERENCES

1. *General Data Protection Regulations (GDPR) Happy Talk Ltd have identified an appropriate lawful basis for our processing of personal data. Under article 6 of the General Data Protection Regulation (GDPR), our lawful basis for processing and storing personal information is one of ‘legitimate interest’. We cannot adequately deliver a service to you (the subject of the referral) / your child without processing your / their personal information. As it is both a necessity for our service delivery and of benefit to you / your child, we have a legitimate interest to process and store your / their data.
2. We have identified a condition for processing special category data. Data relating to an individual’s health is classified as ‘Special Category Data’ under section 9 of the GDPR. The regulations specify that health professionals who are “legally bound to professional secrecy” may have a lawful basis for processing this data. Speech and Language Therapists are legally bound to keep client information confidential, on this basis, we process and store personal information.
3. Information Commissioners Office - <https://ico.org.uk/> Happy Talk Ltd is registered with ICO. You can view our ICO registration by visiting <https://ico.org.uk/ESDWebPages/Entry/ZA307633>
4. Royal College of Speech and Language Therapy and the Health and Care Professions Council. Speech and Language Therapists are required to maintain the Royal College of Speech and Language Therapists professional standards of practice and those of the regulatory body, the Health and Care Professions Council.
5. Article 3 of the United Nations Convention on the Rights of the Child. “In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.”
6. Article 12 of the United Nations Convention on the Rights of the Child “that every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously.”

WHY DO WE COLLECT AND PROCESS INFORMATION?

We currently collect and process information so that-

- We know how to contact you.
- We can gather information that will help us to determine the nature of your / your child’s speech, language and communication difficulties, and provide the most appropriate support.
- With your permission, we can liaise with others involved in your / your child’s care and education so that we can work together to support your / your child’s progress.
- We can retain documented records of every contact made by the “Happy Talk” speech and language therapist in relation to your / your child’s speech and language therapy provision.
- We can process your financial details for payment of services via invoicing and “Stripe” as appropriate.

Correspondence: Happy Talk Ltd, Suite 3, Cumbria Tourism Offices, Windermere Rd, Staveley, Kendal, LA8 9PL

Registered Office: Happy Talk Ltd, Beckett House, Wyrefields, Poulton-le-Fylde, Lancashire, FY6 8JX

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WHAT TYPE OF PERSONAL INFORMATION DO WE COLLECT?

1. Biographical information e.g. Name, address, date of birth, phone number, email address, consent.
2. Health Information e.g. Medical diagnosis, hearing, vision, developmental milestones, birth history, family history.
3. A record of other professionals involved in your / your child's care and education, including professional reports and correspondence relevant to your / your child's speech, language and communication needs, e.g. Education and Health Care Plans. Speech and Language Therapists are legally required to adhere to The Health and Care Professions Council standards of practice. 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."
4. Case notes, that is, written or electronic records of every contact made by the "Happy Talk" speech and language therapist in relation to your / your child's speech and language therapy provision, e.g. appointment notes, assessment results, reports, resources provided. Speech and Language Therapists are legally required to adhere to The Health and Care Professions Council standards of practice. Standard 10 refers to Keeping records of 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."
5. Administrative / Organisational records, e.g. in relation to attendance, health and safety, and billing information, as appropriate.

HOW DO WE GET THE PERSONAL INFORMATION AND WHY DO WE HAVE IT?

- Most of the personal information we process is provided to us directly by you or a Referral Agent and at the initial assessment when we take a case history. The information we gather enables us to contact you, begin to assess the extent and nature of your / your child's speech, language and communication needs and ensure that all of those involved in your / your child's care and education can help to support your / your child's, speech, language and communication needs. We also store and process data so that we can invoice you for services, as appropriate.
- We also receive personal information via referrals and reports, received from other professionals, e.g. Health and Education staff, especially when our services are commissioned by these organisations.

SHARING PERSONAL DATA

- We may share relevant information with health and / or education staff if you / your child, is seen for Happy Talk Speech and Language Therapy in a School / Nursery or Health setting and where these services commission the Happy Talk Speech and Language Therapy provision for you / your child. Any information shared under these circumstances will be pertinent to supporting your / your child's, speech, language and communication needs, and / or any health and safety issues/ concerns, legal reasons, (*please see below). Otherwise, we will only share information with other professionals, subject to gaining explicit consent from you or the person with parental responsibility.
- *We will share personal information with companies or organisations if disclosure of the information is reasonably necessary for legal reasons e.g. 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 Children Act 2004. To protect against harm to the rights, property or safety of Happy Talk Ltd Speech & Language Therapy, our service users or the public as required or permitted by law.



HOW AND WHEN DO WE OBTAIN CONSENT?

We always ensure that we have your consent or the consent of the person with parental responsibility before we:

- See children or young people for specialist assessment and therapy - following receipt of a referral. (Please see appendix 2)
- Store and process personal data.
- Liaise with other professionals as required (see Appendix 1)
- Clients will be provided with a link to this Privacy Policy and Happy Talk Ltd Terms and Conditions. A consent form will need to be signed by the client / parents/guardians prior to commencing the Specialist Speech and Language Therapy Service or at the start of the initial consultation. Copies of consent forms, this privacy policy and the terms and conditions are available online by visiting our website www.happy-talk.co.uk.

WITHDRAWING CONSENT

The person with parental responsibility (or the child / young person, once considered competent to understand the implications of the consent), is able to withdraw their consent at any time. You can do this by contacting the Happy Talk Ltd Director, help@happy-talk.co.uk.

HOW WE STORE YOUR PERSONAL INFORMATION

- All client details, case notes and correspondence will be stored securely and treated confidentially according to General Data Protection Regulations and the Data Protection Act 2018.
- Information is stored on a secure electronic system. Reports and programmes are accessed via a shareable link on an encrypted platform or password protected.
- All Happy Talk Ltd staff are required to adhere to the Happy Talk Online Safety Policy
- Any paper-based or electronic confidential information is stored securely in accordance with General Data Protection Regulations and the Data Protection Act 2018. As per the Code of Practice for Health and Social Care Records (2016), the data we hold on children and young people regarding their speech and language will be retained until the child's / young person's 25th birthday. After which all paper records will be shredded, and electronic records will be deleted.
- Any client identifiable information generated by Happy Talk Ltd can only be shared with the named individuals for whom it was intended. Any information sharing is subject to the signed consent of the client / person with parental responsibility. (Please refer to Happy Talk Consent document-Appendix 1)

HOW DO WE PROTECT YOUR DATA?

In accordance with the General Data Protection Regulation (GDPR), we will endeavour to protect personal data in a number of ways:

1. By limiting the data that we collect in the first instance
2. By transmitting the data in certain specified circumstances only
3. By only keeping the data that is required

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 the assessment, diagnosis and treatment of speech, language and communication disorders and the billing of the aforementioned services as appropriate.



YOUR DATA PROTECTION RIGHTS

Under data protection law, you have rights including:

- Your right of access - You have the right to ask us for copies of your personal information.
- Your right to rectification - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- Your right to erasure - You have the right to ask us to erase your personal information in certain circumstances.
- Your right to restriction of processing - You have the right to ask us to restrict the processing of your personal information in certain circumstances.
- Your right to object to processing - You have the right to object to the processing of your personal information in certain circumstances.
- Your right to data portability - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.
- You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at help@happy-talk.co.uk, Tel: 01253 275288 or the postal address below, if you wish to make a request.

HOW TO COMPLAIN

If you have any concerns about our use of your personal information, you can make a complaint to us at: gillian@happy-talk.co.uk.

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>