



Privacy Policy – Clinical Services 16 March 2022

Griffin Occupational Therapy (GriffinOT Ltd)

This statement outlines information on how we store and use your child's data and personal information. It relates to children who are receiving direct clinical services from therapists at GriffinOT.

1.0 Who are we?

GriffinOT Ltd (formally Kim Griffin Ltd) is registered with Companies House (no. 7140862). We provide independent paediatric occupational therapy services to families, adoption support services and schools. The company is owned and directed by Kimberley Griffin, an Occupational Therapist registered with the Health Professional Council.

GriffinOT Ltd also operates a website (GriffinOT.com) which provides online training and information. Please note this privacy policy relates to clinic services and there is a separate privacy document for online services.

Griffin OT Ltd is committed to protecting the privacy of information provided by clients. Our policies and procedures are in line with the Information Commissioners Office (ICO) General Data Protection Regulations 2018¹.

Collection of personal information.

Information about your child may be collected via spoken or written information from parents / carers and adoption support services if relevant. With your consent, information may also be collected from other professionals working with your child. This may include, but is not limited to, school or nursery staff, speech therapists, physiotherapists, paediatricians and other relevant professionals involved in your child's care. We also collect information regarding immediate family members (i.e. contact details for parents, relevant medical history information, and developmental history) where relevant.

¹ <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/> Accessed 16/3/22

2.0 What information do we hold?

3.1 Active Clients – Face to Face Therapeutic Input

For children who are currently being seen or reviewed we hold some or all of the following information:

- Consent Form*
- Personal Details including date of birth, contact details and diagnosis*
- History Information – includes relevant information on your child and family members, medical and developmental histories*
- Risk Assessment
- Reports or Summaries written by us
- Reports from other professionals *
- Letters from other professionals *
- EHCPs (or Statements) *
- Intervention Notes
- Record of appointments (therapist diary)
- Record of invoices
- Assessment questionnaires from home and school including Sensory Profiles*
- Assessment forms from last assessment e.g. VMI, M-ABC, M-Fun, TVPS, MTVP, Handwriting samples #
- Samples of work for comparison #
- Photographs of work for comparison
- Email correspondence relating to therapy provision or containing advice~

* These documents may be kept in paper format.

These documents are kept in paper format.

~ Correspondence related to appointment confirmations or general queries are not kept.

3.2 Online Sensory Assessments

For the online sensory assessment service all information is kept electronically.

We hold some or all of the following information:

- Consent Form – this is completed via the online questionnaire
- Personal Details including date of birth, contact details and diagnosis*
- Assessment questionnaire data – which includes history information, sensory profile and independence checklist
- Reports written by us
- Personalised sensory strategy list
- Email correspondence

3.3 Inactive Clients – All

For children who have received occupational therapy but have not been seen for ~18 months, we will archive the file. We typically archive in December and July each year. An electronic copy of paper forms will be created if required. We will keep:

- Consent Form
- Personal Details including date of birth, contact details and diagnosis*
- History Information & Risk Assessment
- Reports or Summaries written by us
- Reports or letters from other professionals if they have significantly informed decision making
- Intervention Notes
- Photographs of work for comparison
- Email correspondence relating to therapy provision or containing advice
- Record of appointments (therapist diary)
- Record of invoices

4.0 How we use you and your child's personal information.

The personal information outlined under point 3.0 is used by us for the purpose of delivering your child's occupational therapy. We use this information:

- To prepare, plan and provide occupational therapy services for your child.
- To inform clinical decision making and support recommendations.
- To prepare reports, summaries and letters.
- To facilitate outcome measurement.
- To communicate with you via post, email, telephone, mobile messages and SMS with regards to
 - Confirming and preparing appointments
 - General communication in between appointments
 - Sending you reports and programmes for your child (password protected)
 - Copying you into communications with other professionals involved with your child (initials used)
 - Sending you resources
 - Sending you invoices and receipts
- For management and administration, including appointment diaries.
- We will occasionally send out update emails relating to clinical service provision, such as therapist holiday dates, changes to policies or fees, requests for loan equipment to be returned and requests to organise appointments. These emails typically occur once every half term.

GriffinOT does not use your or your child's details for any purposes other than required to provide an occupational therapy service to you and your child. If your child's data will be used for therapist supervision, outcome measurement or

research we will ask you to sign a separate informed consent form. This form will outline exactly how the data will be used.

We may convert appointment data into aggregated data. This information is used internally to help inform our business planning.

We may audit the aggregated result data from our sensory assessments to report on trends and needs of children being assessed. Your child's data will only be included in this audit if you have opted in and consented to this. (There is a question on consent of data use at the end of the questionnaire)

5.0 Our lawful basis for collecting this information.

Our lawful basis for collecting this information under article 6 of GDPR is trifold. Firstly, we require consent to provide your child with an occupational therapy service.

Secondly, we have a 'legitimate interest' (under article 6 of GDPR). We cannot adequately deliver a service to your child without processing their personal information. 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.

Finally, 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. Occupational Therapists are legally bound to keep client information confidential and it is under this condition that we process and store personal information.

5.1 Meeting our professional obligations

It is a legal requirement for all Occupational Therapists to be registered with the Health and Care Professions Council (HCPC). The HCPC has clear standards² of conduct, performance, and ethics that all registrants must adhere to. These standards affect the way in which we process and share information.

Specifically:

Standard 8: Communicate appropriately and effectively

Standard 10: Keep records of your work

Notes kept by clinicians follow the College of Occupational Therapists Keeping Records Guidance 2018³.

² <https://www.hcpc-uk.org/standards/standards-of-proficiency/occupational-therapists/> Accessed 17/2/21

³ <https://www.rcot.co.uk/practice-resources/rcot-publications/downloads/keeping-records> Accessed 16/3/22

6.0 Sharing of Personal Data

Except as specified below, we do not share your or your child's information with any external or third parties. We do not ever share or sell your personal information to third parties for data collection, marketing or advertising purposes.

6.1 Where parents are funding occupational therapy.

We will request that you share copies of reports or written documents to relevant third parties involved in your child's care. We will obtain your written consent prior to sharing information with any relevant third party involved in your child's care. We never share your or your child's information with any third party not involved in your child's care.

As front line practitioners, all therapists employed by GriffinOT have a legal obligation to comply with the July 2018 'Working together to safeguard children.' policy⁴. Whilst the preference is that information regarding safeguarding is shared with parent consent, the advice guidance for sharing of information states,

"The Data Protection Act 2018 and General Data Protection Regulations (GDPR) do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare and protect the safety of children." p19

Health practitioners are in a strong position to identify welfare needs or safeguarding concerns regarding individual children and, where appropriate, provide support. This includes understanding risk factors, communicating and sharing information effectively with children and families, liaising with other organisations and agencies, assessing needs and capacity, responding to those needs and contributing to multi-agency assessments and reviews." pp62-63

6.2 Where the Adoption Support Fund is funding sensory integration therapy and/or therapeutic listening.

We will provide copies of reports to the allocated social worker within the Post Adoption Team and if required their line manager. Apart from this, we do not share your or your child's information with any third party not involved in your child's care.

We will obtain your consent prior to sharing information with any other relevant third party involved in your child's care. We may also request that you share copies of reports or written documents in this instance.

⁴ <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2> Accessed 17/2/21

As front line practitioners, all therapists employed by GriffinOT must comply with the June 2018 'Working together to safeguard children' policy⁴. Any safeguarding concerns will be discussed with the adoption support team social worker and their policy will be adhered to.

6.3 Where your child's school is funding occupational therapy.

We will request your consent prior to seeing your child. We will provide copies of reports to yourself and school. We will provide handovers of sessions to relevant teaching staff (e.g. your child's teacher, SENCO, Head Teacher, Support Assistants allocated to complete occupational therapy programmes). We will obtain your consent prior to sharing information with any other relevant third party involved in your child's care. We request that you share copies of relevant reports or written documents to third parties that are not the school or working within the school.

As front line practitioners, all therapists employed by GriffinOT must comply with the July 2018 'Working together to safeguard children' policy⁴. Any safeguarding concerns will be reported directly to the school's safeguarding lead and the school policy will be followed.

7.0 How is our data stored?

For face to face clients, electronic clinical information is stored with encryption on both the therapist's computer and backup drives. From 2022, clinical notes will be stored on the Halaxy cloud system⁵.

Online sensory assessments are stored within Google Workspace Drive. Google cloud storage is GDPR compliant⁶.

Paper records are held within a locked cabinet. The minimum amount of confidential information will be taken out of the occupational therapist's base, and if it is it will be kept with the occupational therapist at all times. This information is also typically recorded using initials only.

Your name and telephone number, messages and call history may be stored on the therapist's phone.

The record of your invoices, which includes your name, email and home address, is also stored with the accounting software company Quickbooks, their privacy policy specifies they do not share data under any circumstances. The information can be viewed by the Amersham Accountancy team as the practice's accountants.

We request that for any documents containing personal information that you provide us are sent via email are protected with a password that you have

⁵ <https://www.halaxy.com/> Accessed 16/3/22

⁶ <https://cloud.google.com/security/gdpr> Accessed 17/2/21

sent separately by text message. Or that they are sent via encrypted email. We also request that you use the child number we provide you with, or initials only, on any paper copies of forms that you give to us to transport. If we receive information that is not protected in this manner, we are unable to take responsibility in the unlikely event that an email breach occurs.

For child records created between 2010-Jul 2018 Footsteps Bucks Ltd will also have an encrypted electronic copy of the record. This excludes contracted work paid for by adoption services, and direct school contracts with GriffinOT Ltd.

8.0 How long is the archive information kept?

8.1 Records excluding therapist diary

In guidance with the Records Management Code of Practice for Health and Social Care 2021⁷ the archive information will be kept until your child turns 25 or 26. The guidance states (pg. 50): *Children's records: Retain until 25th birthday, or 26th if the patient was 17 when treatment ended.*

We clear our records annually in January therefore records will be destroyed the first January after your child turns 25 (or 26 if applicable).

8.2 Therapist Diary

The Records Management Code of Practice for Health and Social Care 2021 states that therapists diaries should be kept for 2 years.

8.3 Enquiries that are not pursued

We will hold initial contact information for six months however if you have not pursued further assessment or engagement by GriffinOT by this time, your initial contact sheet will be destroyed. Emails are cleared every 12 months for contacts that have not pursued further engagement.

9.0 Your right to be forgotten (right to eraser).

Whilst the GDPR provides for the right to be forgotten, health data being processed by or under the responsibility of a professional subject to a legal obligation of professional secrecy (eg a health professional) falls into one of the special categories where the right of erasure does not apply.

10.0 Data Portability

We are able to provide a summary report of services if you are changing therapists, this will be charged at our hourly report writing fee.

⁷ <https://www.nhs.uk/information-governance/guidance/records-management-code/> Accessed 16/3/22

11.0 Our responsibilities

We are committed to maintaining the security and confidentiality of your child's record. We actively implement security measures to ensure their information is safe, and audit these regularly. We will not release your personal details to any third party without first seeking your consent, unless this is allowed for or required by law. We are constantly working to ensure compliance with current data protection regulation.

12.0 Your rights

Data protection legislation gives you, the parent, and various rights. The most important of these are as follows:

- You have the right to a copy of information we hold about your child.
- You have the right to ask for your record to be amended if you believe that it is wrong.
- You have the right to withdraw the consent for GriffinOT to see your child at any time. We request that you do so in writing using the withdrawal of consent form which can be found here: <https://www.griffinot.com/policies/>.

13.0 How can I request a copy of the data that is held?

You will already have access to any information you have provided us and are welcome to take a copy of the questionnaires prior to providing them. You will be provided with a copy of any reports, letters or programmes that are written, when they are completed. You will receive an email summary of any important conversations or treatment sessions. You will typically be copied into any correspondence with other professionals.

If you wish to request further data, requests can be made in writing to kimgriffinot@gmail.com. Requests must contain an original signature from the child's legal guardian (typically the adult providing consent for services). The ICO gives guidance on how to make a request <https://ico.org.uk/for-the-public/personal-information/>.

14.0 What if I have concerns about how my information is stored or managed?

You have the right to report any concerns to the Information Commissioners Office (IOC). For further information please see their website <https://ico.org.uk/concerns/>.

Our IOC registration number is: ZA199250

For any questions related to this statement please contact Kim directly via email at Kim@GriffinOT.com.