

# Privacy notice

*True Health Clinics, 34 Cambridge Road, Godmanchester, Huntingdon PE29 2BT*

## Purpose of privacy notice

The processing of personal data is governed by the General Data Protection Regulation 2016/679 (the GDPR). This legislation will replace current data privacy law, giving more rights to you as an individual and more obligations to organisations holding your personal data.

One of the rights is a right to be informed, which means we have to give you even more information than we do now about the way in which we use, share and store your personal information.

This means that we will be publishing a new privacy notice so you can access this information, along with information about the increased rights you have in relation to the information we hold on you and the legal basis on which we are using it.

This new privacy notice comes into effect and will be published on our website on 25 May 2018.

## Who are we?

*True Health Clinics Unlimited* is the data controller (Registered Office: 34 Cambridge Road, Godmanchester, Huntingdon, Cambridgeshire, UK PE29 2BT. True Health Clinics is a trading style of True Health Clinics Unlimited Registered in England & Wales, Reg No: 6848657 ). This means we decide how your personal data is processed and for what purposes.

## Whose information does this privacy notice apply to?

This privacy notice applies to information we collect from:

- patients;
- prospective patients;
- former patients;
- people who subscribe to our newsletters;
- visitors to our website;
- job applicants and our current and former employees.

## What is personal data?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. Examples of personal data we may hold about you include your contact and appointment details.

Special category data is a sub-category of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation. Examples of special category data we may hold about you include your patient notes.

## How do we process your personal data?

We comply with our obligations under the GDPR by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data. We use your personal data for the purposes set out below.

### **Sections 1 – 16 apply to our patients, prospective patients, former patients and visitors to our clinic**

1. We use your name, address, telephone number and email address to make and rearrange appointments. We are unable to send or receive encrypted emails so you should be aware that any emails we send or receive may not be protected in transit. We will also monitor any emails sent to us, including file attachments, for viruses or malicious software. Please be aware that you have a responsibility to ensure that any email you send us is within the bounds of the law.
2. We use your name, address, telephone number and email address, only if we have your explicit consent, to send you marketing materials. We are unable to send or receive encrypted emails so you should be aware that any emails we send or receive may not be protected in transit. We will also monitor any emails sent to us, including file attachments, for viruses or malicious software. Please be aware that you have a responsibility to ensure that any email you send us is within the bounds of the law.
3. Some patients and prospective patients return pre- 1<sup>st</sup> appointment questionnaires or tell us about their medical conditions and medication by email or online enquiry forms. We are unable to send or receive encrypted emails so you should be aware that any emails we send or receive may not be protected in transit. We will also monitor any emails sent to us, including file attachments, for viruses or malicious software. Please be aware that you have a responsibility to ensure that any email you send us is within the bounds of the law.
4. We keep a permanent attendance register which records all appointments for patients attending our clinic to keep a record of when you were treated for tax

purposes and to secure potential evidence in the event of a criminal prosecution, civil litigation, insurance claim or complaint to our regulatory bodies.

5. We may use your date of birth to help identify patients with the same name to avoid mistakes being made as to safe and appropriate treatment, for identification purposes if referring a patient to another health practitioner, and for identification purposes if writing to a registered medical practitioner so that they correctly identify the patient.
6. We use your presenting complaint and symptoms reported by you for the purposes of making a full traditional diagnosis, formulating treatment strategy and treatment planning.
7. We use any relevant medical and family history you have told us for making a full traditional diagnosis, formulating treatment strategy and treatment planning.
8. We use your GP's name and address in the event that we need to contact your GP including in an emergency and because it is a mandatory requirement of our Professional Conduct codes.
9. We use our clinical findings about your health and wellbeing for making a full traditional diagnosis, and formulating treatment strategy and treatment planning.
10. We keep a record of and refer to that record of any treatment given and details of progress of your case, including reviews of treatment planning to enable us to: review the full traditional diagnosis, treatment strategy and planning; and to secure evidence in the event of criminal proceedings, civil litigation, an insurance claim or complaint.
11. We record and use any information and advice that we have given, especially when referring patients to any other health professional, to help you to receive the most appropriate treatment and to secure evidence in the event of criminal proceedings, civil litigation, an insurance claim or complaint.
12. We record any decisions made in conjunction with you to help you to receive the most appropriate treatment and to secure evidence in the event of criminal proceedings, civil litigation, an insurance claim or complaint.
13. We keep accident records for any patients, visitors or staff who are involved in accidents at our clinic in accordance with UK Health and Safety legislation including the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) to comply with the law and to secure evidence in the event of criminal proceedings, civil litigation, an insurance claim or complaint.
14. In the event of an adverse incident occurring to any of our patients we report the matter to our professional registering bodies and our insurance company to enable

the insurance company to deal with any potential claims and to help our professional bodies to develop safe practice guidelines, as well as providing research data and information for our professional bodies' insurers and other interested parties.

15. Where relevant we maintain records of the patient's consent to treatment, or the consent of their next-of-kin in order to be able to prove that the patient (and/or parent/guardian/next of kin) has given informed consent to treatment to secure evidence in the event of a civil claim, criminal prosecution, insurance claim or complaint.
16. We store records in both electronic and physical form. Electronic records will be stored on password or passcode protected equipment. Physical records are stored in filing cabinets manned by office staff in a secured building.

### **Sections 17-18 apply to those who complain about our services**

17. When we receive a complaint from a person we make up a file containing the details of the complaint. This normally contains the identity of the complainant and any other individuals involved in the complaint.

We will only use the personal information we collect to process the complaint and to check on the level of service we provide. We usually have to disclose the complainant's identity to whoever the complaint is about. If a complainant doesn't want information identifying him or her to be disclosed, we will try to respect that. However, it may not be possible to handle a complaint on an anonymous basis. We may need to provide personal information collected and processed in relation to complaints to our professional registration bodies or our insurance company.

We will keep personal information contained in complaint files in line with our retention policy. This means that information relating to a complaint will be retained for two years from closure. It will be retained in a secure environment and access to it will be restricted according to the 'need to know' principle.

Similarly, where enquiries are submitted to us we will only use the information supplied to us to deal with the enquiry and any subsequent issues and to check on the level of service we provide.

18. We store records in both electronic and physical form. Electronic records will be stored on password or passcode protected equipment. Physical records are stored in filing cabinets manned by office staff in a secured building.

### **Sections 19 and 21 apply to subscribers to our newsletters**

19. We maintain and use records of subscribers to our newsletters, only with their consent, for marketing purposes.

20. We use a third party provider, (Mail Chimp and Bookeo), to deliver our e-newsletters. We gather statistics around email opening and clicks using industry standard technologies including clear gifs to help us monitor and improve our e-newsletter. For information, please see privacy notices: <https://mailchimp.com/legal/privacy/> and <https://www.bookeo.com/privacy/>
21. We store newsletters data in electronic form on password or passcode protected equipment and on secure servers of the above service providers.

### **Sections 22 – 27 apply to our website users**

22. When someone visits our website we use a third party service, Google Analytics, to collect standard internet log information and details of visitor behaviour patterns. We do this to find out things such as the number of visitors to the various parts of the site. This information is only processed in a way which does not identify anyone. We do not make, and do not allow Google to make, any attempt to find out the identities of those visiting our website. If we do want to collect personally identifiable information through our website, we will be up front about this. We will make it clear when we collect personal information and will explain what we intend to do with it.
23. We use website cookies to improve user experience of our website by enabling our website to 'remember' users, either for the duration of their visit - using a 'session cookie' - or for repeat visits - using a 'persistent cookie'.
24. Our website search is powered by Google. Search queries and results are logged anonymously to help us improve our website and search functionality. No user-specific data is collected by us or any third party.
25. We use a third party service Paragon Internet Group t/a Tsohost to help maintain the security and performance of our website. To deliver this service it processes the IP addresses of visitors to our website.
26. We use a third party services of Paragon Internet Group t/a Tsohost, WordPress.com, Bookeo.com to host our website including publishing our blog and our online appointment system. This site is hosted at Tsohost, which is run by Paragon Internet Group. We use a standard Google Analytics and Tsohost analytics services to collect anonymous information about users' activity on the site, for example the number of users viewing pages on the site, to monitor and report on the effectiveness of the site and help us improve it. Tsohost and WordPress.com require visitors that want to post a comment to enter a name and email address. Bookeo.com requires visitors that want to manage their appointments to enter name, email address, home address, contact phone numbers and date of birth. If users choose to pay online, we use PayPal facilities where users will be required to enter their name, address, email address and payment details. For more information please see:

<https://www.tsohost.com/legal/privacy-policy>; <https://en-gb.wordpress.org/about/privacy/>; <https://www.bookeo.com/privacy/>;  
<https://www.paypal.com/uk/webapps/mpp/ua/privacy-full>

27. We store website data in electronic form on password or passcode protected equipment and on secure servers of the above service providers.

### **Sections 28 to 33 apply to job applicants, current and former employees**

28. We are the data controller for the information job applicants provide during the process.

- All of the information you provide during the process will only be used for the purpose of progressing your application, or to fulfil legal or regulatory requirements if necessary.
- We will not share any of the information you provide during the recruitment process with any third parties for marketing purposes or store any of your information outside of the European Economic Area. The information you provide will be held securely by us whether the information is in electronic or physical format.
- We will use the contact details you provide to us to contact you to progress your application. We will use the other information you provide to assess your suitability for the role you have applied for.
- We do not collect more information than we need to fulfil our stated purposes and will not retain it for longer than is necessary.
- The information we ask for is used to assess your suitability for employment. You don't have to provide what we ask for but it might affect your application if you don't.
- We ask you for your personal details including name and contact details. We will also ask you about your previous experience, education, referees and for answers to questions relevant to the role you have applied for.
- We shortlist applications for interview.

29. If we make a conditional offer of employment we will ask you for information so that we can carry out pre-employment checks. You must successfully complete pre-employment checks to progress to a final offer. We are required to confirm the identity of our staff, their right to work in the United Kingdom and seek assurance as to their trustworthiness, integrity and reliability.

You will therefore be required to provide:

- Proof of your identity – you will be asked to attend our clinic with original documents, we will take copies.
- Proof of your qualifications – you will be asked to attend our clinic with original documents, we will take copies.

- You will be asked to complete a criminal records declaration to declare any unspent convictions.
  - We will contact your referees, using the details you provide in your application, directly to obtain references.
  - If we make a final offer, we will also ask you for the following:
    - Bank details – to process salary payments
    - Emergency contact details – so we know who to contact in case you have an emergency at work.
30. If you are successful, the information you provide during the application process will be retained by us as part of your employee file for the duration of your employment plus 6 years following the end of your employment. This includes your criminal records declaration, fitness to work, records of any references.
- If you are unsuccessful at any stage of the process, the information you have provided until that point will be retained for 6 months from the closure of the recruitment process.
- Information generated throughout the assessment process, for example interview notes, is retained by us for 6 months following the closure of the recruitment process.
31. All of the information gathered during the application process is taken into account to make final recruitment decisions.
32. You are able to ask about decisions made about your application by speaking to Irina or Alan Szmelskyj or by emailing [info@truehealthclinics.com](mailto:info@truehealthclinics.com).
33. We store records in both electronic and physical form. Electronic records will be stored on password or passcode protected equipment. Physical records are stored in filing cabinets manned by office staff in a secured building.

### **Sharing your personal data**

Your personal data will be treated as strictly confidential, and will be shared:

- with named third parties with your explicit consent;
- with the relevant authority such as the police or a court, if necessary for compliance with a legal obligation to which we are subject e.g. a court order;
- with your doctor or the police if necessary to protect yours or another person's life;
- with the police or a local authority for the purpose of safeguarding a children or vulnerable adults; or
- with our regulatory bodies, or our insurance companies in the event of a complaint or insurance claim being brought against us; or
- our solicitor in the event of any investigation or legal proceedings being brought against us.

For further details about the situations when information about you might be shared please see the Information Commissioner's website at <https://ico.org.uk/for-the-public/personal-information/sharing-my-info/>

## How long do we keep your personal data?

We keep your personal data for no longer than reasonably necessary.

We keep patient records for a period of 10 years (in the case of patients under 18 years of age until the patient reaches the age of 25) to further continuity of treatment if the patient does not receive treatment for a certain period of time, then returns for treatment at a later date.

We keep employee records for a period stated in section 30 in case of any legal claims/complaints and for safeguarding purposes etc.

Patients' and employees' data will be kept up-to-date and as accurate as possible. At any time you may request that changes are made to your contact details.

At the end of retention period, physical (paper) records will be destroyed by finely shredding them and digital records will be securely permanently deleted.

In the event of True Health Clinics Unlimited ceasing trading, all personal data will be securely deleted or physically destroyed by shredding unless it is required to be retained for legal or tax reasons.

## Your rights and your personal data

Unless subject to an exemption under the GDPR, you have certain rights with respect to your personal data as set out below.

- The right to request a copy of your personal data which we hold about you.
- The right to request that we correct any personal data if it is found to be inaccurate or out of date.
- The right to request your personal data is erased where it is no longer necessary for us to retain such data.
- The right to withdraw your consent to the processing at any time. This right does not apply where we are processing information using a lawful purpose other than consent.
- The right to request that we provide you with your personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable) [This right only applies where the processing is based on consent or is necessary for the performance of a contract with you and in either case the we are processing the data by automated means].
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing.
- The right to object to the processing of personal data, (where applicable) [This right only applies where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority); direct marketing and processing for the purposes of scientific/historical research and statistics].



- The right to be informed if your data is lost. We shall also inform the Information Commissioner's Office in accordance with the time limits in the GDPR.
- The right to lodge a complaint with the Information Commissioner's Office.

For further details about these rights please see the Information Commissioner's website at <https://ico.org.uk/for-the-public/is-my-information-being-handled-correctly/>

## Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

## Contact Details

To exercise all relevant rights, queries of complaints please in the first instance contact us at [info@truehealthclinics.com](mailto:info@truehealthclinics.com) or write to *True Health Clinics, 34 Cambridge Road, Godmanchester, Huntingdon PE29 2BT.*

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.