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## PRIVACY NOTICE

This privacy notice is about how we store your personal data. It aims to provide clear and understandable information about how we collect, store and protect information about you. It also provides information about your rights that relate to the data we process. New EU legislation known as General Data Protection Regulation (GDPR) alongside the Data Protection Act and Privacy and Electronic Communications Regulations (PECR), seek to protect and enhance the rights of EU data subjects. These rights cover:

- The safeguarding of personal data
- Protection against the unlawful processing of personal data
- Unrestricted movement of personal data within the EU and its storage within the EEA.

NB: Data is defined as: information concerning any living person (a natural person who hereafter will be called the Data Subject) that is not already in the public domain.

### WHO ARE WE/ SCOPE OF OUR SERVICES

- Sudhir Daya of Rabstone Ltd t/a Integrated Health
- Nicky Ellis of Nicky Ellis Ltd

We are the appointed Data Protection Officers and are registered with the Information Commissioner's Office (IOC). For the purposes of this Privacy Notice we will be referred to as the 'Therapists' from this point on. As Therapists it is our role to diagnose and treat health conditions. Treatments are carried out in accordance with our regulatory bodies:

- The Chartered Society of Physiotherapy (<http://www.csp.org.uk>)
- The Health and Care Professions Council (<http://www.hcpc-uk.co.uk>)
- The General Osteopathic Council (<https://www.osteopathy.org.uk/home/>)
- The Institute of Osteopathy's patient charter <http://www.iosteopathy.org/osteopathy/the-patient-charter/>.

NB: *The practice may also provide other treatments, about which our staff will be pleased to provide more details.*

We are committed to protecting your privacy and legal rights when dealing with your personal information. If you have any queries about this privacy notice, are unsure of what something means, or wish to contact us about the personal information we hold, please email: Sudhir Daya [sudhirdaya@integratedh.com](mailto:sudhirdaya@integratedh.com) or Nicky Ellis [info@nickyellis.org](mailto:info@nickyellis.org).

This privacy notice refers to any living person who enquires about, uses, or purchases our services. It also applies if you communicate with us in any manner, for the purpose of discussing current or past use of our services.

### HOW WE SECURE YOUR PERSONAL DATA

Data protection laws require us to take appropriate technical and organisational measures to prevent unlawful access or processing of personal information. We are responsible for implementing this. The following list shows some of the technical and organisational measures we put in place to ensure the safety and integrity of your data.

- We are trained in the appropriate handling of personal information and how to respond to a data breach.
- We practice common sense cyber security requirements, e.g. locking screens when away, regularly updating software.
- Where possible, we use two factor authentication for key systems.
- We ensure passwords are changed regularly on our systems.
- We don't use systems that are non GDPR compliant.
- We encrypt all our hardware that will store personal information, using industry standard encryption methods.
- We use Egress Switch, where necessary, which is an industry leading encryption technology, to communicate with you and other clinicians directly involved in your health care.
- This technology enables us to manage any potential data breaches in a fast and efficient manner.
- Our third-party providers of systems used to process your personal data are compliant with data protection laws and requirements, and also have effective data restore capabilities to ensure your data can be recovered.

### WHY WE HOLD YOUR PERSONAL DATA

a) For the purposes of providing treatment, the Therapists may require detailed medical information. We will only collect what is relevant and necessary for your treatment. When you visit our practice, we will make notes, which may include details concerning your medication, past medical history, treatment and other issues affecting your health (Health Act 1999, Health Professionals Order 2001, Health and Social Care Act 2008). This data is always held securely, is not shared with anyone not involved in your treatment, although for data storage purposes it may be handled by vetted

staff who have all signed an integrity and confidentiality agreement. To be able to process your personal data it is a condition of any treatment that you give:

- Your explicit consent to allow the Therapists to document and process your personal medical data.
  - Contact details provided by you such as telephone numbers, email addresses, postal addresses may be used to remind you of future appointments, provide reports and/or other information concerning your treatment.
  - As part of our obligations as primary healthcare practitioners there may be circumstances related to your treatment, on-going care or medical diagnosis that will require the sharing of your medical records with other healthcare practitioners e.g. GPs, consultants, surgeons and/or medical insurance companies. Where this is required we will always inform you first unless we are under a legal obligation to comply.
- b) The Therapists will only collect the information needed so that they can provide you with the services you require. The business does not sell or broker your data.
- c) For administration purposes, the Therapists use Real Time Reception LTD to manage their appointments. Real Time Reception record telephone calls for legitimate interest to allow our businesses to function, to optimise processes and to resolve any client complaints regarding appointments.
- d) The Therapists may occasionally also act on behalf of its patients in the capacity of data processor, when we may promote other practitioners based at our premises, who may not be employed by us. We will discuss a possible referral to another practitioner with you.
- e) The Therapists may maintain a marketing dialogue with your consent until you either opt out (which you can do at any time) or we decide to desist in promoting our services.
- f) Some basic personal data may be collected about you from records of our correspondence and phone calls and details of your visits to our website.
- g) The Therapists's website uses cookies, which is a string of information that a website stores on a visitor's computer, and that the visitor's browser provides to the website each time the visitor returns. The websites use cookies (Google Analytics) to help the Therapists to identify and track visitors and their website access preferences. Visitor to the therapists' websites who do not wish to have cookies placed on their computers should set their browsers to refuse cookies before using the Therapists website. Copies of our respective policies can be found on our websites.

#### **LEGAL BASIS FOR PROCESSING PERSONAL DATA**

To meet our contractual obligations obtained from explicit Patient Consent and legitimate interest to respond to enquiries concerning the services provided, and to enable our business to function.

#### **LEGITIMATE INTERESTS PURSUED BY THE THERAPISTS**

To promote treatments for patients with all types of health problems indicated for care.

#### **CONSENT**

Through agreeing to this privacy notice you are consenting to the Therapists processing your personal data for the purposes outlined. You can withdraw consent at any time by using the postal, email address or telephone number provided at the beginning of this Privacy Notice, or the websites listed above. Lack of consent may mean that the therapist have a right to refuse to treat you.

#### **DISCLOSURE**

The Therapists will keep your personal information safe and secure, only staff engaged in providing your treatment will have access to your patient records. Our administration team will have access to your contact details you provide over the phone so that they can make appointments and contact you about appointments. The Therapists will not disclose your Personal Information unless requested to, in order to meet legal obligations, regulations or valid governmental requests. The practice may also enforce its Terms and Conditions, including investigating potential violations of its Terms and Conditions to detect, prevent or mitigate fraud or security or technical issues; or to protect against imminent harm to the rights, property or safety of its staff. We will be using an encryption program when an e-mail contains personal and medical information.

#### **RETENTION POLICY**

The Therapists will process personal data for the duration of any treatment and will continue to store only the personal data needed for eight years after you final treatment, to meet our legal obligations. As an adult, the 8-year period may increase in specific circumstances. After eight years all personal data will be deleted, unless basic information needs to be retained by us to meet our future obligations to you, such as erasure details. Records concerning minors who have received treatment will be retained until the child has reached the age of 25. Please refer to the Medical Records Act.

#### **DATA STORAGE**

All hardcopy data is held in the United Kingdom in secure storage. The Therapists use a software system called Cliniko. Cliniko's servers are based in Australia. The therapists have an agreement with Cliniko that forms the legal basis for the transfer of data between us. Cliniko has terms and policies in place to ensure they meet GDPR requirements around data that is processed outside the EEA. Hardcopy records will be destroyed confidentially and softcopy records can be deleted permanently from the Cliniko software system. Other software used includes Mailchimp, Survey Monkey and Dropbox – all of which are GDPR compliant.

## **YOUR RIGHTS AS DATA SUBJECT**

At any point whilst the Therapists are in possession of, or processing your personal data, all data subjects have the following rights:

- The right to be informed: this privacy notice serves to inform you how we collect and use your personal data.
- Right of access: you have the right to request a copy of the information that we hold about you.
- Right of rectification: you have a right to correct data that we hold about you that is inaccurate or incomplete.
- Right to be forgotten: in certain circumstances you can ask for the data we hold about you to be erased from our records.
- Right to restriction of processing: where certain conditions apply you have a right to restrict the processing.
- Right of portability: you have the right to have the data we hold about you transferred to another organisation.
- Right to object: you have the right to object to certain types of processing such as direct marketing.
- Right to object to automated processing, including profiling: you also have the right not to be subject to the legal effects of automated processing or profiling.

In the event that the Therapists refuse your request under rights of access, we will provide you with a reason as to why, which you have the right to legally challenge. At your request the Therapists can confirm what information it holds about you and how it is processed.

## **TO ACCESS WHAT PERSONAL DATA IS HELD, IDENTIFICATION WILL BE REQUIRED**

The Therapists will accept the following forms of identification (ID) when information on your personal data is requested: a copy of your driving licence, passport, birth certificate and a utility bill not older than three months. A minimum of one piece of photographic ID listed above and a supporting document is required. If the Therapists dissatisfied with the quality, further information may be sought before personal data can be released. All requests should be made to [info@integratedh.com](mailto:info@integratedh.com) or [info@nickyllis.org](mailto:info@nickyllis.org) or in writing to us at the address above.

## **COMPLAINTS**

In the event that you wish to make a complaint about how your personal data is being processed by the Therapists, please contact: Sudhir Daya [sudhirdaya@integratedh.com](mailto:sudhirdaya@integratedh.com) or Nicky Ellis [info@nickyllis.org](mailto:info@nickyllis.org).

If you do not get a response within 30 days, you can complain to the ICO: Wycliffe House, Water Lane, Wilmslow, SK9 5AF. Telephone +44 (0) 303 123 1113 or email: <https://ico.org.uk/global/contact-us/email/>  
Rabstone Ltd t/a Integrated Health ICO registration number: Z3035489  
Nicky Ellis Ltd ICO registration number: ZA215286

## **DATA BREACH (theft, corruption, authorised deletion and disclosure)**

We will acknowledge a data breach and inform affected parties. We will investigate the cause of the breach and seek to address the cause of the breach. If there is a risk to the rights and freedoms of the person/s involved, then we will report it to the ICO especially regarding discrimination, damage of reputation, financial loss, loss of confidentiality and/or social or economic disadvantage.

## **POLICE ACCESS**

The police will need to submit a Section 29 Disclosure Request form to access a telephone recording. The Police will need to submit a Court Order to obtain patient data unless there is compelling reason to do otherwise.