



The OT Practice Limited Privacy policy

INTRODUCTION

Welcome to The OT Practice Limited's privacy policy.

Your privacy is important to us and we are committed to protecting and safeguarding your data privacy rights. This privacy policy explains how we look after your personal data, including how we collect, use and process your personal data.

This privacy policy is provided in a layered format so you can access the specific areas set out in the index below. Please also use the Glossary to understand the meaning of some of the terms used in this privacy policy.

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1. IMPORTANT INFORMATION AND WHO WE ARE

PURPOSE OF THIS PRIVACY POLICY

This privacy policy aims to give you information on how The OT practice collects and processes your personal data, including any data you may provide to us directly or by completing a referral form or sending an enquiry or an application to join our therapy team through our website.

It is important that you read this privacy policy when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

CONTROLLER

THE OT PRACTICE LIMITED is the controller and responsible for your personal data (collectively referred to as, “we”, “us” or “our” in this privacy policy).

We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise *your legal rights*, please contact the DPO using the details set out below.

CONTACT DETAILS

If you have any questions about this privacy policy or our privacy practices, please contact our DPO in the following ways:

Full name of legal entity: The OT Practice Limited

Email address: dpo@theotpractice.co.uk

Postal address: Unit 3, Meridian Office Park, Osborn Way, Hook, Hampshire, RG27 9HY

You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

CHANGES TO THE PRIVACY POLICY AND YOUR DUTY TO INFORM US OF CHANGES

We keep our privacy policy under regular review. This version was last updated on 10th January 2019. Historic versions can be obtained by contacting us.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

2. THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth, gender, the nature of your relationship to a client, lifestyle and hobbies.
- **Contact Data** includes billing address, home address, email address and telephone numbers.
- **Professional Data** includes job title, employment history, qualifications, training records, social media IDs, employment history.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of services you have purchased from us.
- **Technical Data** includes internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access our website.
- **Profile Data** includes your interests, preferences, feedback and survey responses.
- **Usage Data** includes information about how you use our website and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and your communication preferences. It will also include your response to our interactive marketing or your engagement with our marketing and communications

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

Special categories of more sensitive personal data about you this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health including photographs and videos taken for clinical purposes, and genetic and biometric data.

3. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your personal data and special categories of more sensitive personal data including Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email, meeting with us during any clinical assessment or treatment or otherwise. This includes personal data you provide when you:
 - Enquire about our services;
 - Enter into a contract with us to purchase our services;
 - Meet or speak with one of our team including staff or associates;
 - Make a referral to us;

- Subscribe to our newsletters and publications;
 - Request marketing to be sent to you;
 - Give us feedback or contact us;
 - Provide us with your contact details such as a business card at events that we attend; or
 - Apply to join our therapy team.
- **Automated technologies or interactions.** As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. Please see our cookie policy (www.theotpractice.co.uk/privacy) for further details.
 - **Third parties or publicly available sources.** We will receive personal data about you from various third parties as set out below:
 - Our client may provide us with your personal data because you have some understanding of their case or needs;
 - Referrers who refer your case to us including case managers, solicitors, employers, social workers, local authorities, charities;
 - Health professionals who we are working with us for the purposes of providing our services or who have instructed us to make contact with you or provide our services to you;
 - Other professionals, relatives, third parties and agencies who have knowledge of or are involved in or instructed on your case including teachers, SENCO, social workers or family member
 - Third party market research and by analysing online and offline media;
 - From delegate lists at relevant events;
 - From other limited sources and third parties to the extent they provide us with your details in accordance with any regulatory requirements;
 - Technical Data from analytics providers such as Google based outside the EU; or
 - Identity and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the EU.

4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- To help us establish, exercise or defend legal claims.
- Where we need to comply with a legal obligation.
- Where we are processing special categories of sensitive data for reasons of health and social care.

You can find out more about the types of lawful basis that we will rely on to process your personal data in the Glossary below.

You have the right to withdraw consent to marketing at any time by contacting us. You can do this by emailing us at marketing@theotpractice.co.uk.

PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new client or referrer	(a) Identity (b) Contact	Performance of a contract with you
<p>To process and deliver our services including:</p> <p>(a) Manage payments, fees and charges</p> <p>(b) Collect and recover money owed to us</p> <p>(c) To make respond to your enquiries, contact, communicate or visit you</p> <p>(d) To assess your needs and goals and establish needs met</p> <p>(e) To prepare a quote of delivering our services</p> <p>(f) To liaise with referrers and other professionals and case workers</p> <p>(g) To inform and instruct our therapists</p> <p>(h) Notifying you about changes to our terms or privacy policy</p> <p>(i) Asking you to leave a</p>	<p>(a) Special Categories of data</p> <p>(b) Identity</p> <p>(c) Contact</p> <p>(d) Financial</p> <p>(e) Transaction</p> <p>(f) Marketing and Communications</p>	<p>Special Categories of data & Personal data</p> <p>(a) the provision of health and social care in relation to special categories of data;</p> <p>(b) Performance of a contract with you</p> <p>(c) Necessary for our legitimate interests</p> <p>(d) In more unusual circumstances, we may use your personal data to help us to establish, exercise or defend legal claims.</p> <p>(e) to comply with a legal obligation</p>

<p>review or take a survey</p> <p>(J) Investigating and responding to a complaint</p>		
<p>To set you up on our systems as a supplier and process the services and goods supplied including:</p> <p>(a) To communicate with you about the services</p> <p>(b) To manage payment of for the services and/or goods supplied</p> <p>(c) To submit orders</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Financial</p> <p>(d) Transaction</p> <p>(e) Marketing and Communications</p>	<p>(a) Performance of a contract with you</p> <p>(b) Necessary for our legitimate interests</p> <p>(c) In more unusual circumstances, we may use your personal data to help us to establish, exercise or defend legal claims.</p> <p>(d) to comply with a legal obligation</p> <p>(e) Consent</p>
<p>To respond to and process your application to join our therapy team including:</p> <p>(a) Assessing your skills, qualifications and suitability for the role</p> <p>(b) Carry out background checks and reference checks</p> <p>(c) Communicate with you about our recruitment process</p> <p>(d) Comply with legal or regulatory requirements</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Professional</p> <p>(d) Special categories of sensitive data</p>	<p>(a) Performance of a contract with you</p> <p>(b) Necessary for our legitimate interests</p> <p>(c) In more unusual circumstances, we may use your personal data to help us to establish, exercise or defend legal claims.</p> <p>(d) to comply with a legal obligation</p> <p>(e) We may use the special categories of sensitive data, to carry out background checks, to consider whether we need to provide adjustments during the recruitment process or to ensure meaningful equal opportunity monitoring and reporting</p>
<p>To administer and protect our business and website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Technical</p>	<p>(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)</p> <p>(b) Necessary to comply with a legal obligation</p>

		(c) In more unusual circumstances, we may use your personal data to help us to establish, exercise or defend legal claims.
To deliver relevant website content to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how customers use our services, to develop them, to grow our business and to inform our marketing strategy) Consent
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	Necessary for our legitimate interests (to develop our products/services and grow our business) Consent

MARKETING

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

MARKETING COMMUNICATIONS FROM US

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which services may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased services from us and you have not opted out of receiving that marketing.

THIRD-PARTY MARKETING

We will not share your personal data with any third party for marketing purposes.

OPTING OUT

You can ask us to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a service purchase or other transactions.

COOKIES

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our website may become inaccessible or not function properly. For more information about the cookies we use, please see our Cookie policy (www.theopractice.co.uk/privacy).

CHANGE OF PURPOSE

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. DISCLOSURES OF YOUR PERSONAL DATA

We may share your personal data with the parties set out below for the purposes set out in the table *Purposes for which we will use your personal data* above.

- External Third Parties as set out in the *Glossary*.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. INTERNATIONAL TRANSFERS

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe.
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between Europe and the US.
- where it is necessary for the conclusion or performance of a contract between ourselves and a third party and the transfer is in your interests for the purposes of that contract (for example, if we need to transfer data outside the EEA in order to meet our obligations under that contract if you are a client of ours); or
- where you have consented to the data transfer.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

7. DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

8. DATA RETENTION

HOW LONG WILL YOU USE MY PERSONAL DATA FOR?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data: see *your legal rights* below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

9. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data. You can find out more about these rights in the Glossary below:

- Request access to your personal data.
- Request correction of your personal data.
- Request erasure of your personal data.
- Object to processing of your personal data.
- Request restriction of processing your personal data.
- Request transfer of your personal data.
- Right to withdraw consent.

If you wish to exercise any of the rights set out above, please contact us at dpo@theotpractice.co.uk.

NO FEE USUALLY REQUIRED

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

WHAT WE MAY NEED FROM YOU

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

TIME LIMIT TO RESPOND

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10. GLOSSARY

LAWFUL BASIS

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Comply with a legal obligation means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

Health and social care purposes if the processing is necessary for health or social care purposes means the purposes of-

- a) preventative or occupational medicine,
- b) the assessment of the working capacity of an employee,
- c) medical diagnosis,
- d) the provision of health care or treatment,
- e) the provision of social care, or
- f) the management of health care systems or services or social care systems or services.

Consent means in certain circumstances, we are required to obtain your consent to the processing of your personal data in relation to certain activities. Depending on exactly what we are doing with your information, this consent will be opt-in consent or soft opt-in consent.

Article 4(11) of the GDPR states that (opt-in) consent is “any freely given, specific, informed and unambiguous indication of the data subject’s wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.” In plain language, this means that:

- You have to give us your consent freely, without us putting you under any type of pressure;
- You have to know what you are consenting to – so we'll make sure we give you enough information;
- You should have control over which processing activities you consent to and which you do not; and
- You need to take positive and affirmative action in giving us your consent – we're likely to provide a tick box for you to check so that this requirement is met in a clear and unambiguous fashion.
- We will keep records of the consents that you have given in this way.

In some cases, we will be able to rely on soft opt-in consent. We are allowed to market products or services to you which are related to the services we provide as long as you do not actively opt-out from these communications.

As we have mentioned, you have the right to withdraw your consent to these activities. You can do so at any time by emailing marketing@theotpractice.co.uk.

THIRD PARTIES

External third parties

- Service providers acting as processors and who provide IT and system administration services including providers of cloud based technology systems.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors, surveyors, architects, service agents, experts, transport and distribution suppliers, technical support functions and insurers based in the UK who provide consultancy, banking, legal, insurance and accounting services.
- Healthcare providers and professionals acting as processors or joint controllers including our occupational therapists, physiotherapists, speech and language, social workers, nurses, doctors and other medical professionals based in the UK.
- Referrers for example case managers, solicitors, employers, social workers, local authorities, charities;
- HM Revenue & Customs, regulators and HCPC and other health care registration and regulatory bodies other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.
- Marketing technology platforms and suppliers.

YOUR LEGAL RIGHTS

You have the right to:

Request access to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to

comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.