

Privacy Notice

Acupuncture in Kent and Sussex – Sally Deane BSc (Hons) OM and Acupuncture, MBAcC, Lic Ac

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 I have to give you even more information than I do now about the way in which I use, share and store your personal information.

This means that I 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 I hold on you and the legal basis on which it is being used.

This new privacy notice is published on my website.

Who am I?

Acupuncture in Kent and Sussex – Sally Deane is the data controller based at The Ananda Clinic, Swanley Osteopaths and Infinite Beauty UK (these 3 Clinics also have their own privacy policy). 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 newsletters;
- visitors to our website;

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 that may be held 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 that may be held about you include your patient notes.

How is your personal data processed?

I comply with my 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. I use your personal data for the purposes set out below.

Sections 1 – 15 applies to patients, prospective patients, former patients and visitors to the clinics where I am based:

1. Your name, address, telephone number and email address are used to make and rearrange appointments. Encrypted emails cannot be sent or received so you should be aware that any emails that are sent or received may not be protected in transit. Emails received by Acupuncture in Kent and Sussex – Sally Deane will be monitored, including file attachments, for viruses or malicious software. Please be aware that you have a responsibility to ensure that any email you send to Acupuncture in Kent and Sussex – Sally Deane is within the bounds of the law.
2. Your name, address, telephone number and email address will be used, only if you have given your explicit consent, to send you marketing materials. Encrypted emails cannot be sent or received so you should be aware that any emails sent or received may not be protected in transit. Emails received by Acupuncture in Kent and Sussex – Sally Deane will be monitored, including file attachments, for viruses or malicious software. Please be aware that you have a responsibility to ensure that any email you send to Acupuncture in Kent and Sussex – Sally Deane is within the bounds of the law.
3. A permanent attendance register is kept which records all appointments for patients attending the clinics noted above, to keep a record of when you were treated for income/tax purposes and to secure potential evidence in the event of a criminal prosecution, civil litigation, insurance claim or complaint to my regulatory body, the British Acupuncture Council.
4. Your date of birth may be used 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.
5. Your presenting complaint and symptoms reported by you will be used for the purposes of making a full traditional diagnosis, formulating treatment strategy and treatment planning.
6. Any relevant medical and family history you have told us about will be used for making a full traditional diagnosis, formulating treatment strategy and treatment planning.
7. Your GP's name and address may be used in the event that we need to contact your GP including in an emergency and because it is a mandatory requirement in the British Acupuncture Code of Professional Conduct.
8. Clinical findings about your health and wellbeing will be used for making a full traditional diagnosis, formulating treatment strategy and treatment planning.
9. A record will be kept and referred to of any treatment given and details of progress of your case, including reviews of treatment planning to enable me 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.
10. Any information and advice that is given is recorded and will be used, 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.
11. 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 will be recorded.
12. Accident records are kept for any patients, visitors or staff who are involved in accidents at the clinics 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.

13. In the event of an adverse incident occurring to any of my patients the matter will be reported to the British Acupuncture Council and the insurance company to enable the insurance company to deal with any potential claims and to help the British Acupuncture Council to develop its safe practice guidelines, as well as providing research data and information for the BAAC's insurers and other interested parties.
14. Where relevant records will be maintained 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.
15. All patient records will be kept secure and confidential.

Section 16 applies to those who complain about services provided:

16. When a complaint is received from a person, a file is made up containing the details of the complaint. This normally contains the identity of the complainant and any other individuals involved in the complaint.

Only the personal information collected, will be used to process the complaint and to check on the level of service that is/has been provided. It is usual 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, that will be respected where possible. However, it may not be possible to handle a complaint on an anonymous basis. Acupuncture in Kent and Sussex may need to provide personal information collected and processed in relation to complaints to the British Acupuncture Council or our insurance company.

Personal information contained in complaint files will be kept in line with the 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 the information supplied will only be used to deal with the enquiry and any subsequent issues and to check on the level of service provided.

Sections 17 – 21 apply to Acupuncture in Kent and Sussex website users:

17. When someone visits the Acupuncture in Kent and Sussex website a third party service is used, Google Analytics, to collect standard internet log information and details of visitor behaviour patterns. This is done 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. I do not make, and do not allow Google to make, any attempt to find out the identities of those visiting the website. If I do want to collect personally identifiable information through the website, I will be up front about this. I will make it clear when I collect personal information and will explain what I intend to do with it.
18. Cookies are not used on this web site.
19. There is not a web site search facility on this web site.
20. LCN, a third party service is used to help maintain the security and performance of the website. To deliver this service it processes the IP addresses of visitors to the website.
21. LCN, a third party service is used to host the website. This site is hosted at LCN.com which is run by LCN. A standard LCN service is used 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 for improvement purposes. For more information about how LCN processes data, please see <https://www.lcn.com/privacy>

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 I am 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 the British Acupuncture Council (my Regulatory body), or my insurance company in the event of a complaint or insurance claim being brought against me; or
- my solicitor in the event of any investigation or legal proceedings being brought against me.

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>

How long do we keep your personal data?

Your personal data will be kept for no longer than reasonably necessary.

Patient records will be kept for a period of 7 years in accordance with the British Acupuncture Code of Professional Conduct <https://www.acupuncture.org.uk/public-content/effective-practice/bacc-professional-codes.html>

Your records will be kept secure and confidential by Acupuncture in Kent and Sussex and following the 7 year period, your records will be burnt.

Should I die, all patient records will be burnt.

Should I become ill and another Acupuncture Practitioner takes over my patients, your records will be passed to them to continue your treatment.

At any time you may request that changes are made to your contact details.

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 is held about you.
- The right to request that any personal data if it is found to be inaccurate or out of date, be corrected.
- The right to request your personal data is erased where it is no longer necessary for such data to be retained.
- The right to withdraw your consent to the processing at any time. This right does not apply where I am processing information using a lawful purpose other than consent.
- The right to request that I 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).
- 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).
- The right to be informed if your data is lost. I 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>

Further processing

If I wish to use your personal data for a new purpose, not covered by this Privacy Notice, then I 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, I 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: Sally Deane, Acupuncture in Kent and Sussex, c/o The Ananda Clinic, 231 Hadlow Road, Tonbridge, Kent, TN10 4LR. Telephone 07956 348652

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.