

Privacy notice

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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 you more rights as an individual and more obligations to organisations holding your personal data.

One of the rights is a right to be informed. This means I must give you information about the way in which I use, share and store your personal information.

This new privacy notice has been published so that you can access this information, along with information about the increased rights you have in relation to the data I hold on you and the legal basis on which I am using it.

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

Who am I?

I, Anna Dennis am the data controller for Anna Dennis Acupuncture, 6 Ditton Reach, Thames Ditton, KT7 0XB. This means I am responsible for how your personal data is processed and for what purposes.

Whose information does this privacy notice apply to?

This privacy notice applies to information I collect from:

- patients
- prospective patients
- former patients

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 I process your personal data?

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 your personal data. My patient notes are in paper format and are not stored on a computer system. I use your personal data for the purposes set out below.

Sections 1 – 14 apply to patients, prospective patients and former patients:

1. I use your name, address, telephone number and email address to make and rearrange appointments. I am unable to send or receive encrypted emails so you should be aware that any emails I send or receive may not be protected in transit. I will also monitor any emails sent to me, including file attachments, for viruses or malicious software. Please be aware that you have a responsibility to ensure that any emails you send me are within the bounds of the law.
2. Some patients and prospective patients tell me about their medical conditions and medication by email or text message. I am unable to send or receive encrypted emails so you should be aware that any emails I send or receive may not be protected in transit. I will also monitor any emails sent to me, including file attachments, for viruses or malicious software. Please be aware that you have a responsibility to ensure that any email you send me is within the bounds of the law.
3. I keep a permanent attendance register in paper format which records all appointments for patients attending clinic. This record is necessary for 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. 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.

5. I use your presenting complaint and symptoms reported by you for the purposes of making a full traditional diagnosis, formulating treatment strategy and treatment planning.
6. I use any relevant medical and family history you have told me for making a full traditional diagnosis, formulating treatment strategy and treatment planning.
7. I use your GP's name and address in the event that I 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. I use my clinical findings about your health and wellbeing for making a full traditional diagnosis, and formulating treatment strategy and treatment planning.
9. I 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 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. I record and use any information and advice that I 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.
11. I 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.
12. I keep accident records for any patients who are involved in accidents at my 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.
13. In the event of an adverse incident occurring to any of my patients I report the matter to the British Acupuncture Council and my 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 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.

If you wish to complain about my services (these records will be kept in paper format)

15. If I receive a complaint from a person I will 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.

I will only use the personal information I have collected to process the complaint and to check on the level of service I provide. If a complainant doesn't want information identifying him or her to be disclosed I will try to respect that. However, it may not be possible to handle a complaint on an anonymous basis. I may need to provide personal information collected and processed in relation to complaints to the British Acupuncture Council or my insurance company.

I will keep personal information contained in complaint files in line with my 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 I will only use the information supplied to me to deal with the enquiry and any subsequent issues and to check on the level of service I provide.

For those who access my website

16. I use a third party service, Wix, to host my website. This site is hosted at www.wix.com. For more information about how Wix processes data, please see their website. I am the only person with access to these services, and I build, manage and update my website myself. At present my website is set up as an information source only, and does not request any of your information, rather displays my information should a prospective patient, current patient or former patient wish to find out more or make contact. Should this change, this privacy notice will be updated and displayed on my website. My website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. I do not control these third-party websites and am not responsible for their privacy statements. When you leave my website, we encourage you to read the privacy notice of every website you visit.

Sharing your personal data

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

- 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 my regulatory body, the British Acupuncture Council, 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/for-the-public/personal-information/sharing-my-info/>

How long do I keep your personal data?

- Patient names and telephone numbers are stored in my attendance register. This is necessary as a record for tax purposes and in the event of a criminal prosecution, civil action, insurance claim or complaint. These attendance registers will be destroyed after 7 years in line with patient records and will also be shredded by myself.
- Your Personal data is kept no longer than reasonably necessary.
- Patient records are 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>.

- After 7 years patients notes will be shredded by me.
- Emails and text messages are deleted as soon as an appointment is made or as soon as the information is extracted and stored in paper format in the patient's notes.

Responsibility to me as your practitioner

- It will be your responsibility to keep me up to date with any change in address, telephone number or email.
- It will also be your responsibility to keep me up to date with any change in GP or GP surgery, medication taken or medical care that you have undergone or are undergoing.

In the event that I am very ill and can no longer practice or in the event of my death I nominate Mary Dennis of 6 Ditton Reach, Thames Ditton, KT7 0XB to be responsible for any data I hold and to adhere to the terms of my privacy policy including the erasure of data according to the ICO and BAcC guidelines.

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 I hold about you.
- The right to request that I 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 me 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. 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/for-the-public/is-my-information-being-handled-correctly/>

How do you access your data?

The right of access: if you wish to see your personal data then please make a request in writing. This is known as a Subject Access Request (SAR). There is a form available for you to download on my website (www.annadennisacupuncture.co.uk) with all the information you need but you are not obliged to use this form and can simply write or email your request. I will then contact you by some other means, usually telephone to validate your identity. I cannot assume that the person emailing me is who they say they are and I do require two forms of valid identity before I can disclose any personal data. I will provide you with the information you have requested within 30 days of receipt of your request and validation of your ID, in line with the ICO guidelines. Please be aware that the ICO states that some types of personal data are exempt from the right of subject access and so cannot be obtained by making a SAR. Information maybe exempt because of it's nature or because of the effect that its disclosure is likely to have. There are also some restrictions on disclosing information in response to a SAR- where this would involve discussing information about another individual.

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 me at Anna Dennis, 6 Ditton Reach, Thames Ditton, KT7 0XB. Email correspondence to: annaden@hotmail.com.

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.