

## **Introduction**

Welcome to the DR R B HOLMES THERAPY's privacy policy.

DR R B HOLMES THERAPY respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

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

**1. [IMPORTANT INFORMATION AND WHO WE ARE]**

**2. [THE DATA WE COLLECT ABOUT YOU]**

**3. [HOW IS YOUR PERSONAL DATA COLLECTED?]**

**4. [HOW WE USE YOUR PERSONAL DATA]**

**5. [DISCLOSURES OF YOUR PERSONAL DATA]**

**6. [INTERNATIONAL TRANSFERS]**

**7. [DATA SECURITY]**

**8. [DATA RETENTION]**

**9. [YOUR LEGAL RIGHTS]**

**10. [GLOSSARY]**

**1. Important information and who we are**

### **Purpose of this privacy policy**

This privacy policy aims to give you information on how DR R B HOLMES THERAPY collects and processes your personal data. This will include personal data collected:

- In your use of this website, including any data you may provide through this website when you sign up for one of our courses; or
- From your interaction with us during a course (e.g. any personal information you share during alive workshop); or
- During an online therapy session with us.

This website is not intended for under 18s and we do not knowingly collect data relating to anyone who is under 18 years old.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions 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 the confidentiality obligations in our terms and conditions and is not intended to override them.

## **Controller**

DR R B HOLMES THERAPY is the controller and responsible for your personal data (collectively referred to as "DR R B HOLMES THERAPY", "we", "us" or "our" in this privacy policy).

## **Contact details**

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

Full name of legal entity: DR R B HOLMES THERAPY

Email address: services@drrbholmes.co.uk

You have the right to make a complaint at any time to the Information Commissioner's Office (**ICO**), the UK regulator for data protection issues ([www.ico.org.uk](http://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.

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.

## **Third-party links**

This website may include links to third-party websites. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

## **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, last name, and title.
- **Contact Data** includes country, billing address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and your communication preferences.
- **Data Concerning Health** means data related to your physical or mental health and may include your name, address and telephone number of your GP and names of other services involved in your care.

**Please note this information is only collected when DR R B HOLMES THERAPY is providing one-to-one therapy to you.**

### **Special Categories of Personal Data**

We do not collect any **Special Categories of Personal Data** about you through the website (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, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences. You may disclose Special Categories of Personal Data during the course.

You may disclose Special Categories of Personal Data to us during the course of therapy sessions which we may need to retain in the notes that we take during our therapy sessions. We only use your personal data to provide the therapy services to you.

**We may collect Data Concerning Health if you are referred to DR R B HOLMES THERAPY for one-to-one therapy by your GP or another health professional. We may correspond with your GP or other health professionals during the course of your treatment. If you fail to provide personal data.**

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

### **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 Identity, Contact, and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
  - Contact us to enquire about or arrange therapy sessions; or
  - give us feedback or contact us.
- **Information received from Third Parties.** You may provide information to third parties which is made available to us. This includes:
  - Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as Paypal based outside of the UK.
  - Medical Data which may be shared with us by your GP or other medical professional. This data will only be shared with us if you have given your consent to your GP or other medical professional disclosing it to us.

### **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.
- Where we need to comply with a legal obligation.

See the Glossary section to find out more about the types of lawful basis that we will rely on to process your personal data.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

### **Who do we share your personal data with?**

All information that you share with us during therapy sessions is confidential. We shall not disclose any information that you provide to us to any third party without your prior consent, except in the case of emergency if we reasonably believe that your mental or physical health requires urgent treatment or we are concerned about the safety of someone else, including a child or vulnerable adult. In these circumstances we may disclose information to your GP or other health professional. If you are having one-to-one therapy with DR R B HOLMES THERAPY we may share data with your GP or other health professional but we will only do this with your prior consent.

### **Marketing**

#### **Third-party marketing**

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

#### **Cookies**

To our knowledge the website does not use cookies and so data is not collected in this way.

#### **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 section 4 (*How we use your personal data*) above.

- External Third Parties as set out in the *Glossary*.
- Health Care Professionals in the following circumstances:
  - (a) in the case of emergency if we reasonably believe that your mental or physical health requires urgent treatment or we are concerned about the safety of someone else, including a child or vulnerable adult in which case we may disclose information to your GP or other health professional; and
  - (b) if you are having one-to-one therapy with DR R B HOLMES THERAPY, we may share data with your GP or other health professional, but we will only do this with your prior consent.

However, in the case of an emergency as set out in sub-paragraph (a) above, we may disclose information to your GP without your consent.

- 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**

Many of our external third parties are based outside the UK so their processing of your personal data will involve a transfer of data outside the UK.

Whenever we transfer your personal data out of the UK, 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.
- Where we use certain service providers, we may use specific contracts approved for use in the UK which give personal data the same protection it has in the UK.

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

## **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 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* in section 9 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.

If you wish to exercise any of the rights set out below, please contact us.

### **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**

**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.

**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.

**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.

### **THIRD PARTIES**

## External Third Parties

- Service providers acting as processors based in Germany who provide website services (e.g. Ionos).
- HM Revenue & Customs, regulators and other authorities acting as joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.
- Monzo acting as processors based in the UK who provide payment services.

## 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.