

UK GDPR 2021 PRIVACY NOTICE

TOTAL MOTION OSTEOPATHY & SPORTS MASSAGE CLINIC LTD

1 - Scope

This privacy notice (sometimes referred to as a privacy policy or privacy statement) concerns personal data, which 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.

The UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and the Privacy and Electronic Communications Regulations (PECR), seek to protect and enhance the rights of UK data subjects. These rights cover the safeguarding of personal data, protection against the unlawful processing of personal data and its storage within the UK.

1 - Your Practice **Total Motion Osteopathy & Sports Massage** based at **145 St Margaret's Road, Twickenham, TW1 1RG** which hereafter for the purposes of this privacy notice will be referred to as Total Motion Osteopathy & Sports Massage, is pleased to provide the following information:

2 - Who we are

Total Motion Osteopathy & Sports Massage diagnose and treat musculoskeletal conditions. Treatments are carried out in accordance with the Institute of Osteopathy patient's [charter](#). **The practice may also provide other treatments, about which our staff would be pleased to provide more details.**

3 - Personal Data

a) For the purposes of providing treatment Total Motion Osteopathy & Sports Massage, 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 health, medication, treatment and other issues affecting your musculoskeletal conditions. 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 pre-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 Osteopaths 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 or other information concerning your treatment.

b) For marketing purposes, Total Motion Osteopathy & Sports Massage, may also use the contact details provided by you to respond to your enquiries including making telephone contact and emailing information to you which the practice believes may be of interest to you.

c) In making initial contact with the practice you consent to Total Motion Osteopathy & Sports Massage, maintaining a marketing dialogue with you until you either opt out (which you can do at any time) or we decide to desist in promoting our services. Osteopaths 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. Osteopaths do not broker your data and you can ask to be removed from our marketing database by emailing or phoning the practice using the contact details provided at the end of this privacy notice.

d) Some basic personal data may be collected about you from the marketing forms and surveys you complete, from records of our correspondence and phone calls and details of your visits to our website, including but not limited to, personally identifying information like Internet Protocol (IP) addresses.

e) Total Motion Osteopathy & Sports Massage'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. WordPress.org uses cookies to help Osteopaths to identify and track visitors and their website access preferences. Osteopaths' website visitors who do not wish to have cookies placed on their computers should set their browsers to refuse cookies before using our website.

f) Osteopaths will only collect the information needed so that it can provide you with the services required.

g) Our practitioners might hold clerical and medical data for patients on their personal electronic devices for the purposes of maintaining patient contact when away from the clinic and offering continuity of advice. Where possible these are all password protected, include virus protection and are regularly updated to keep information secure.

h) Patient, staff and contractor clerical data is collected to fulfil contractual obligations e.g. payment and means of communication for appointments, payment of practitioners, payment for contracted services, liaison with patient private medical insurance. This data can be collected by practitioners as well as our administration team. Clerical data for administrators and contractors is stored on a password-protected computer.

i) Patient referral letters sent to the clinic concerning patients who have not been to the clinic are copies of data that has been collected by the referring party, and not by the clinic. We consider that there is a legitimate interest for the patient to be contacted so we can offer a continuation of their healthcare, but should they not attend for treatment then we will destroy the data as outlined below.

j) All medical data is stored in Cliniko's online cloud based system, this has 2 factor authentication and is completely encrypted, patient's medical data can therefore only be accessed by the practitioners at the clinic, their privacy policy can be accessed [here](#).

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k) Emails containing patient data are stored on a password protected computer, they are handled by LCN hosting and webmail, their privacy policy is [here](#)

4 - Legal basis for processing any personal data

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

5 - Legitimate interests pursued by Osteopaths

To promote treatments for patients with all types of musculoskeletal problems including back pain and neck pain, tennis elbow, frozen shoulders, sciatica, headaches, sports injuries, and other degenerative conditions.

6 - Consent

Through agreeing to this privacy notice you are consenting to Osteopaths 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 end of this privacy notice.

7 - Disclosure

Total Motion Osteopathy & Sports Massage will keep your personal information safe and secure, only staff engaged in providing your treatment will have access to your patient records, although our administration team will have access to your contact details so that they can make appointments and manage your account. Osteopaths will not disclose your Personal Information unless compelled 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.

8 - Retention Policy

Total Motion Osteopathy & Sports Massage will process personal data during the duration of any treatment and will continue to store only the personal data needed for eight years after the contract has expired to meet any legal obligations. 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.

9 - Data storage

All Data is held in the United Kingdom. All Data is held in a manner compliant to GDPR regulations. Total Motion Osteopathy and Sports Massage does not store personal data outside the EEA regulations

10-Data destruction

a) Patient medical data has to be kept for a minimum of 8 years, or until children reach 25 years of age. Patients can ask us to delete their medical data only after this period has expired. Total Motion Osteopathy and Sports Massage can also only delete medical notes after this period has expired, although we may store them for longer.

b) Any paper-based medical notes or referral letters will be shredded when required and disposed of alongside the clinic's regular refuse.

c) Digital medical notes will be deleted from the database when requested.

d) Temporary paper notes containing patient clerical or medical data that are made at the time of patient enquiry will be shredded within a week or sooner if they are transferred to the Cliniko database at the point a patient books a consultation.

e) Copies of referral letters concerning patients that have not been to the clinic will be destroyed after 3 months if the patient has not made an appointment for consultation or sooner if they have not made an appointment following two attempts by the clinic to contact them.

f) Emails containing patient medical data will be deleted at regular intervals.

11- Our need for Consent

- a) Without patient consent for medical data to be collected, we are unable to proceed with any consultation.
- b) The processing of patient clerical data is required to fulfil the contract that is created when a patient comes to us for provision of healthcare. Without patient consent for this data to be processed, we are not able to offer healthcare.
- c) Without staff or contractor consent for clerical data to be stored, we are unable to fulfil any contractual obligations such making payment for services.

12- How, When and Why the Clinic Shares Data

- a) Patient medical and clerical data are shared with other practitioners within the clinic, who are considered data processors. They all have signed a confidentiality policy.

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- b) Patient clerical data only is shared with our reception team. They all have signed a confidentiality policy agreement.
- c) A patient's clerical and medical data will be shared as appropriate with other medical professionals, for example, the patient's GP, a consultant, or a medical imaging company. The practitioner making the referral must obtain written consent from the patient in order for this to be shared, and this will be stored with the patient's notes.
- d) Clerical data is shared with the clinic's accountant who has signed a confidentiality agreement.
- e) Data that passes through our website can be seen by our web designer, Toby Pollard Smith who has signed a confidentiality policy.
- f) If a patient is using private medical insurance to cover the cost of their treatment, then it is necessary for contractual reasons for the clinic and/or practitioners to liaise with the patient's insurance company in order to process clerical details, and sometimes some very basic medical data, such as the part of body being treated, and the progress of treatment.
- g) Should the clinic change ownership in the future, the data collected by the clinic will be passed to the new owner who will appoint a new data controller to whom all responsibility will pass. Patients will be informed of the change at the time of any subsequent appointments, and any requests for data to be deleted will be honoured by the new owner.

13. How the Clinic Keeps Data Secure

- a) Paper data is imaged and uploaded to Cliniko, paper data is then shredded at the earliest possible point.
- b) Digital data is stored on password-protected computers in the clinic.
- c) The salon where the clinic is located is locked and alarmed when vacant.
- d) Access to the Cliniko database is accessed via a username and password individual to each practitioner, and a shared access for the administration team. The reception profile does not allow access to medical data. Practitioners have access to clerical data as well as medical data. Our data controller has access to medical and clerical data.
- e) Passwords for computer access and Cliniko user profiles are replaced at least every 6 months, or when a member of the clinic team changes.

14 - Your rights as a data subject

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

- Right to information - you can ask for information about what data is being processed and the rationale for such processing.
- 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 Total Motion Osteopathy & Sports Massage refuses 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 Total Motion Osteopathy & Sports Massage can confirm what information it holds about you and how it is processed.

15 - You can request the following information:

- Identity and the contact details of the person or organisation (Osteopaths) that has determined how and why to process your data.
- Contact details of the data protection officer, where applicable.
- The purpose of the processing as well as the legal basis for processing.
- If the processing is based on the legitimate interests of Osteopaths and information about these interests.
- The categories of personal data collected, stored and processed.
- Recipient(s) or categories of recipients that the data is/will be disclosed to.
- How long the data will be stored.
- Details of your rights to correct, erasure, restrict or object to such processing.
- Information about your right to withdraw consent at any time.
- How to lodge a complaint with the supervisory authority (ICO).
- Whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether you are obliged to provide the personal data and the possible consequences of failing to provide such data.
- The source of personal data if it wasn't collected directly from you.
- Any details and information of automated decision making, such as profiling, and any meaningful information about the logic involved, as well as the significance and expected consequences of such processing.

16 - To access what personal data is held, identification will be required

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Osteopaths will accept the following forms of 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 Osteopaths is dissatisfied with the quality, further information may be sought before personal data can be released.

All requests should be made to info@totalmotion.org by phoning +44 (0) 203 1435051 writing to us at the address further below.

17 - Complaints

In the event that you wish to make a complaint about how your personal data is being processed by Osteopaths you have the right to complain to us. If you do not get a response within 30 days you can complain to the ICO.

The details for each of these contacts are: **Harriet Lambert, Principal Osteopath, Total Motion Osteopathy and Sports Massage, Sirisha's, 145 St Margaret's Road, Twickenham, TW1 1RG.**

Telephone 02031435051 or email: harriet@totalmotion.org

ICO

Wycliffe House, Water Lane, Wilmslow, SK9 5AF

Telephone +44 (0) 303 123 1113 or email: <https://ico.org.uk/global/contact-us/email/>