

## **Wimbledon Physiotherapy and Sports Injuries Clinics Privacy Notice**

This Privacy Notice sets out details of the information that HydroActive Ltd trading as Wimbledon Physiotherapy and Sports Injuries Clinic and the clinicians responsible for your treatment may collect from you and how that information may be used. Please take your time to read this Privacy Notice carefully.

This document has the following information:

1. About us
2. How to contact us
3. What personal data information do we collect and used from patients
4. How will we communicate with you?
5. What are the purposes for which your information is used?
6. Who do we share your information with?
7. What marketing activities do we carry out?
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9. Your rights
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We are also open to improvement; if you have any feedback on this notice contact our Data Protection Officer with your thoughts.

### **1. About us**

In this Privacy Notice we use "**we**" or "**us**" or "**our**" or "**Wimbledon Physiotherapy and Sports Injuries Clinic**" to refer to who is using your personal information, and the clinicians who provide your treatment.

### **2. How to contact us**

The Data Protection Officer ("DPO") helps ensure that Wimbledon Physiotherapy and Sports Injury Clinic group of companies comply with data protection law. Our DPO has responsibility for data protection compliance in respect of the companies set out above.

The DPO can be contacted by:

- Telephone: 020 8542 7788
- Email: [enquiries@wimbledonphysio.co.uk](mailto:enquiries@wimbledonphysio.co.uk)
- Post: Wimbledon Physiotherapy and Sports Injury Clinic, 28A Wilton Grove, Wimbledon, SW19 3QX

If you would like further information about any of the matters in this Privacy Notice or have any other questions about how we collect, store or use your personal information, please contact the DPO using the details above.

Clinicians who work with Wimbledon Physiotherapy and Sports Injuries Clinics are expected to handle your personal data in accordance with the principles set out within this Privacy Notice. This means that whenever they use your personal data, they will only do so as set out in this Privacy Notice.

### **3. What personal data information do we collect and used from patients**

When we refer to personal data in this policy, we mean information that can or has the potential to identify you as an individual, this may include the following:

- Information that you give us when you enquire or become a customer or patient of us, including name, address, contact detail (including email address and phone number).
- The name and contact details (including phone number) of your next of kin.
- Details of referrals and any other correspondence we may have had with you.
- Details of services and /or treatment you have received from us.
- Information obtained from customer surveys, that you have taken part in.
- Notes and reports about your healthy and any treatment and care you have received, including about clinic and hospital visits and medicines administered.
- Patient feedback and treatment outcome information, you provide.
- Information about complaints and incidents
- Information you give us when you make a payment to us, such as financial, or credit card information.
- Other information received from other sources, from your use of websites and other digital platforms we operate or the other services we provide, information from business partners, advertising networks, analytics providers, or information provided by other companies who have obtained your permission to share information about you.

The confidentiality of your medical information is important to Wimbledon Physiotherapy and Sports Injuries Clinic. We make every effort to prevent unauthorised access to and use of information relating to your current or former physical and mental health. In doing so, Wimbledon Physiotherapy and Sports Injuries Clinics complies with the EU General Data Protection Regulation (GDPR) and a new Data Protection Act and all applicable medical confidentiality guidelines issued by professional bodies including, but not limited to, the Health and Care Professions Council and Chartered Society of Physiotherapy.

We may collect personal information from several different sources including, but not limited to:

#### ***Directly from you***

Information may be collected directly from you when you:

- Enter into a contract with Wimbledon Physiotherapy and Sports Injuries Clinic for the provision of healthcare services
- Complete enquiry forms on the Wimbledon Physiotherapy and Sports Injuries Clinic website by email or by social media
- Correspond with us by letter, email, telephone or social media, including where you reference Wimbledon Physiotherapy and Sports Injuries Clinic in a public social media post
- Take part in our marketing activities

#### ***From other healthcare organisations***

Our patients will usually receive healthcare from other organisations in addition to Wimbledon Physiotherapy and Sports Injuries Clinic, and so in order to provide you with the best treatment possible we may have to collect personal information about you from other organisations. These may include:

- Medical records from your GP
- Medical records from your Consultant (including their medical secretaries)

Medical records include information about your diagnosis, clinic and hospital visits and medicines administered.

#### ***From third parties***

We may also collect information about you from third parties when:

- We liaise with your family
- We liaise with your insurance policy provider
- We deal with experts (including medical experts) and other service providers about services you have received or are receiving from us
- We deal with NHS health service bodies about services you have received or are receiving from us
- We liaise with debt collection agencies
- We liaise with Government agencies, including the Ministry of Defence, the Home Office and HMRC

#### **4. How will we communicate with you?**

In order to communicate with you, we are likely to do this by telephone, SMS, email, and/or post. If we contact you using the telephone number(s) which you have provided (landline and/or mobile), and you are not available which results in the call being directed to a voicemail and/or answering service, we may leave a voice message on your voicemail and/or answering service as appropriate.

However:

- To ensure that we provide you with timely updates and reminders in relation to your healthcare (including basic administration information and appointment information (including reminders)), we may communicate with you by SMS and/or unencrypted email (where you have provided us with your email address) in each case where you have expressed a preference in the patient registration form to be contacted by SMS and/or email.
- To provide you with your medical information and/or invoicing information, we may communicate with you by email (which will be encrypted) where you have provided us with your email address and have expressed a preference in the patient registration form to be contacted by email. The first time we send you an important encrypted email, an email that we are not also sending by post or which requires action to be taken, we will endeavour to contact you separately to ensure that you are able to access the encrypted email.
- If we have your mobile number or your email address, we may use this method of communication to contact you regarding patient surveys which are for the purpose of improving our service or monitoring outcomes and are not a form of marketing.

Please note that although providing your mobile number and email address and stating a preference to be communicated by a particular method will be taken as an affirmative confirmation that you are happy for us to contact you in that manner, we are not relying on your consent to process your personal data in order to correspond with you about your treatment. As set out further below, processing your personal data for those purposes is justified on the basis that it is necessary in order to provide you with healthcare services.

**Surveys** - As detailed above, we may contact you to ask you to participate in surveys regarding your treatment with Wimbledon Physiotherapy and Sports Injuries Clinic. The surveys will largely be sent post-treatment by email or SMS. This is not a form of marketing and the surveys do not try to sell you any further products or services; it is solely to gather information relating to your experience of Wimbledon Physiotherapy and Sports Injuries Clinic, for the purposes of improving the quality and safety of the services we offer to future patients. It is necessary for us to process your personal data

to contact you with these surveys, on the basis of our appropriate business needs and to improve the quality of the healthcare services we offer (as set out under purpose 7 below). Participation in the surveys is entirely voluntary. You may decide not to complete the surveys and you will have the option to unsubscribe from receiving further survey invitations. You may also be given the opportunity to proactively opt into receiving a call back to further discuss your survey responses. These are all matters entirely for you

## **5. What are the purposes for which your information is used?**

We may 'process' your information for a number of different purposes, which is essentially the language used by the law to mean using your data. Each time we use your data we must have a legal justification to do so. The particular justification will depend on the purpose of the proposed use of your data. When the information that we process is classed as "special category of personal information", we must have a specific additional legal justification in order to use it as proposed.

**You will find details of our legal grounds for each of our processing purposes below. We have set out individually those purposes for which we will use your personal information, and under each one we set out the legal justifications, or grounds, which allow us to do so.**

**You will note that we have set out a legal ground, as well as an 'additional' legal ground for special categories of personal information. This is because we have to demonstrate additional legal grounds where we are using information which relates to a person's healthcare, as we will be doing the majority of the times we use your personal information.**

Note that failure to provide your information further to a contractual requirement with us may mean that we are unable to set you up as a patient or facilitate the provision of your healthcare on Wimbledon Physiotherapy and Sports Injuries Clinics systems.

### ***Purpose 1: To provide you with healthcare and related services***

Clearly, the reason you come to us is to provide you with healthcare, and to do so, we have to use your personal information.

Legal grounds:

- Providing you with healthcare and related services
- Fulfilling our contract with you for the delivery of healthcare

Additional legal grounds for special categories of personal information:

- We need to use the data in order to provide healthcare services to you
- The use is necessary to protect your vital interests where you are physically or legally incapable of giving consent

### ***Purpose 2: For account settlement purposes***

We will use your personal information in order to ensure that your account and billing is fully accurate and up-to-date.

Legal grounds:

- Our providing you healthcare and other related services
- Fulfilling our contract with you for the delivery of healthcare
- Our having an appropriate business need to use your information which does not overly prejudice you

Additional legal grounds for special categories of personal information:

- We need to use the data in order to provide healthcare services to you
- The use is necessary in order for us to establish, exercise or defend our legal rights

### ***Purpose 3: For medical audit / research purposes***

Wimbledon Physiotherapy and Sports Injuries Clinics also participates in medical research and shares data with ethically approved third party research organisations.

We will share your personal data only to the extent that it is necessary to do so in assisting research and as permitted by law:

Legal grounds:

- We have a legitimate interest in helping with medical research and have put appropriate safeguards in place to protect your privacy

***Purpose 4: Communicating with you and resolving any queries or complaints that you might have.***

From time to time, patients may raise queries, or even complaints, with Wimbledon Physiotherapy and Sports Injuries Clinics. We take those communications very seriously. It is important that we resolve such matters fully and properly, and in order to do so we will need to use your personal information.

Legal grounds:

- Our providing you with healthcare and other related services
- Our having an appropriate business need to use your information which does not overly prejudice you

Additional legal grounds for special categories of personal information:

- The use is necessary for the provision of healthcare or treatment pursuant to a contract with a health professional
- The use is necessary in order for us to establish, exercise or defend our legal rights

***Purpose 5: Communicating with any other individual that you ask us to update about your care and updating your healthcare provider about your care.***

In addition, other healthcare professionals or organisations may need to know about your treatment in order for them to provide you with safe and effective care, and so we may need to share your personal information with them.

Legal grounds:

- Our providing you with healthcare and other related services
- We have a legitimate interest in ensuring that other healthcare professionals who are routinely involved in your care have a full picture of your treatment

Additional legal ground for special categories of personal information:

- We need to use the data in order to provide healthcare services to you
- The use is necessary for reasons of substantial public interest under UK law
- The use is necessary in order for us to establish, exercise or defend our legal rights

***Purpose 6: Complying with our legal or regulatory obligations, and defending or exercising our legal rights***

As a provider of healthcare, we are subject to a wide range of legal and regulatory responsibilities which is not possible to list fully here. We may be required by law or by regulators to provide personal information, and in which case we will have a legal responsibility to do so. In order to fully investigate and respond to those actions, it is necessary to access your personal information (although only to the extent that it is necessary and relevant to the subject-matter).

Legal grounds:

- The use is necessary in order for us to comply with our legal obligations
- Additional legal ground for special categories of personal information:
- We need to use the data in order for others to provide informed healthcare services to you
- The use is necessary for reasons of the provision of health or social care or treatment or the management of health or social care systems
- The use is necessary for establishing, exercising or defending legal claims
- We are also required by law to conduct audits of health records, including medical

information, for quality assurance purposes. Your personal and medical information will be treated in accordance with guidance issued by the Care Quality Commission (England), Health Inspectorate Wales and Healthcare Improvement Scotland.

***Purpose 7: Providing improved quality, training and security including conducting post treatment surveys***

Wimbledon Physiotherapy and Sports Injuries Clinics is a quality-conscious organisation, and always looking to learn from patients' experiences in order to improve the experience for future patients. With that in mind, we will use your personal information to identify where such improvements can be made and contacting you to seek your valuable thoughts on the Wimbledon Physiotherapy and Sports Injuries Clinics experience.

Legal grounds:

- Our having an appropriate business need to use your information which does not overly prejudice you

Additional legal ground for special categories of personal information:

- We need to use the data in order to manage the healthcare services we deliver, including carrying out surveys (which are not a form of marketing) in order to identify and carry out any necessary improvements

***Purpose 8: Managing our business operations such as maintaining accounting records, analysis of financial results, internal audit requirements, receiving professional advice (eg. tax or legal advice)***

In order to do this, we will not need to use your special categories of personal information and so we have not identified the additional ground to use your information for this purpose.

Legal grounds:

- Our having an appropriate business need to use your information which does not overly prejudice you

***Purpose 9: Provide you with marketing information (including information about other products and services offered by selected third party partners) in accordance with preferences you have expressed in the Patient Health Questionnaire.***

As a business, marketing is vital, but we are mindful of your rights and expectations in that regard. As a result, we will only provide you with marketing which is relevant to our business and only where you have specifically confirmed your consent for us to do so.

Legal grounds:

- Our having an appropriate business need to use your information which does not overly prejudice you
- You have provided your consent

## **6. Who do we share your information with?**

From time to time, we may share your personal information within our group or with third parties.

### ***Disclosures to third parties***

We may disclose your information to the third parties listed below for the purposes described in this Privacy Notice. This might include:

- A doctor, nurse, carer or any other healthcare professional involved in your treatment
- Anyone that you ask us to communicate with or provide as an emergency contact, for example your next of kin or carer
- Other private sector healthcare providers
- Your GP
- Your Consultant (including their medical secretaries)

- Your physiotherapist and other therapists
- Your sports team coach
- Third parties who assist in the administration of your healthcare, such as insurance companies
- National and other professional research/audit programmes and registries, as detailed under Purpose 3 above
- Government bodies, including the Ministry of Defence, the Home Office and HMRC
- Our regulators, like the Care Quality Commission, Health and Care Profession Council and Chartered Society of Physiotherapy
- The police and other third parties where reasonably necessary for the prevention or detection of crime
- Our insurers
- Debt collection agencies
- Our third-party services providers such as IT suppliers, actuaries, auditors, lawyers, marketing agencies, document management providers and tax advisers
- Selected third parties in connection with any sale, transfer or disposal of our business

We may communicate with these third parties in a variety of ways including, but not limited to, email, post, fax and telephone.

### ***International data transfers***

We, or third parties acting on our behalf (for example our practice management software providers) may store or process information that we collect about you in countries outside the European Economic Area ("EEA"). Where we make a transfer of your personal information outside of the EEA we will take the required steps to ensure that your personal information is protected.

## **7. What marketing activities do we carry out?**

We may also use your personal information to provide you with information about products or services which may be of interest to you where you have provided your consent for us to do so.

If you no longer wish to receive marketing emails from us, you can unsubscribe by clicking the link in all of our emails, otherwise you can always contact us to update your preferences.

We may also provide your personal information to market research agencies who collect your feedback to help develop better products and services for you.

We also use website cookies to provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. This cookie is set by our content management system, Expression Engine and no personal information is stored in them. You can choose to accept or decline cookies, to read more about our website data collection and security see our policy on our website.

## **8. How long do we keep personal information for?**

We will only keep your personal information for as long as reasonably necessary to fulfil the relevant purposes set out in this Privacy Notice (Retention Policy available upon request) and in order to comply with our legal and regulatory obligations.

If you would like further information regarding the periods for which your personal information will be stored, please contact our DPO for further details.

## **9. Your rights in respect to your personal data**

You have a range of rights in respect of your personal data. This includes the right to object to Wimbledon Physiotherapy and Sports Injuries Clinic using your personal information in a particular way (such as sharing that information with third parties), and we must stop using it in that way unless specific exceptions apply. This includes, for example, if it is necessary to defend a legal claim brought against us, or it is otherwise necessary for the purposes of your ongoing treatment. If we cannot comply with your request to exercise your rights, we will usually tell you why. Your rights are as following:

### ***a) The right to access your personal information***

You are usually entitled to a copy of the personal information we hold about you and details about how we use it. If you do request a copy of your information we will provide it to you in an electronic or paper format within 1 month of you requesting the information. We will not charge you for providing this information. Please note that in some cases we may not be able to fully comply with your request, for example if your request involves the personal data of another person and it would not be fair to that person to provide it to you.

### ***b) The right to rectification***

We take reasonable steps to ensure that the information we hold about you is accurate and complete. However, if you do not believe this is the case, you can ask us to update or amend it. It is important to understand that this right does not extend to a matter of opinion, such as medical diagnosis.

### ***c) The right to erasure (also known as the right to be forgotten)***

In some circumstances, you have the right to request that we delete the personal information we hold about you. However, there are exceptions to this right and in certain circumstances we can refuse to delete the information in question this will only apply if we are able to do so without breaking other laws that we need to abide by.

### ***d) The right to restriction of processing***

This is not an absolute right and only applies in certain circumstances. Where we are able to comply with a request to restrict processing we retain your personal data but not process it.

### ***e) The right to data portability***

In some circumstances, we must transfer personal information that you have provided to us to you or (if this is technically feasible) another individual/ organisation of your choice. The information must be transferred in an electronic format.

### ***f) The right to object to marketing***

You can ask us to stop sending you marketing messages at any time and we must comply with your request. You can do this by contacting the DPO.

### ***g) The right not to be subject to automatic decisions (ie decisions that are made about you by computer alone)***

You have a right to not be subject to automatic decisions (ie decisions that are made about you by computer alone) that have a legal or other significant effect on you.

### ***h) The right to complain to the Information Commissioner's Office***

You can complain to the Information Commissioner's Office if you are unhappy with the way that we have dealt with a request from you to exercise any of these rights, or if you think we have not complied with our legal obligations. Making a complaint will not affect any other legal rights or remedies that you have.



More information can be found on the Information Commissioner's Office website: <https://ico.org.uk/>

#### **10. Data Breaches**

Should your personal data that we control be lost, stolen, or otherwise breached, where this constitutes as high risk to your rights and freedoms we will write to you without delay. We will give you the name dealing with the breach, explain to you both the nature of the breach and the steps we are taking to deal with it.

#### **11. Changes to our Privacy Policy**

We keep our privacy policy under regular review and as a result it may be amended from time to time without notice to ensure that it remains accurate. The most up-to-date version can always be found at [www.wimbledonphysio.co.uk](http://www.wimbledonphysio.co.uk). As a result, we encourage you to review this privacy policy regularly.

This Privacy Notice was **last updated on 22 May 2018**.