



# 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 more rights to you as an individual and more obligations to organisations holding your personal data. This Privacy Notice describes what data I collect, process and use.

*Tracey Goulding* is the data controller (48 Bawdale Road, London SE22 9DN). This means I 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 I collect from:

- patients;
- prospective patients;
- former patients;
- people who subscribe to my newsletter;
- visitors to my website <http://traceygoulding.com>.

## 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 available to me.

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.

## Sections 1 – 13 applies to my patients,

*Your records are stored in a lockable cabinet at 48 Bawdale Road, London SE22 9DN. Patient files are paper only and transported when necessary to any clinic I am working in. When no longer required (minimum 7 years) files are destroyed by burning.*



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.
2. I use your name, address, telephone number and email address, only if we have your explicit consent, to send you marketing materials (newsletter sign up on the registration form, or if you subscribe from my website).
3. I keep a permanent electronic attendance register which records all appointments for patients attending my practice to keep a record of when you were treated 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. 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.
5. I use any relevant medical and family history you have told me for making a full traditional diagnosis, formulating treatment strategy and treatment planning.
6. 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.
7. I use my clinical findings about your health and wellbeing for making a full traditional diagnosis, and formulating treatment strategy and treatment planning.
8. 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.
9. 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. I secure your consent to passing on your medical details to another practitioner before this is done.
10. 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.
11. I keep accident records for any patients, visitors or staff who are involved in accidents at my practice 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.

12. 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 British Acupuncture Council's insurers and other interested parties.
13. Where relevant I 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.

## Section 14 Complaints

14. When I receive a complaint from a person I make 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 collect to process the complaint and to check on the level of service I provide. I usually have 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, 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 our insurance company.

I will keep personal information contained in complaint files in line with our 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 me 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.

## 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 personal data. I use



your personal data for the purposes set out below.

#### Sections 15 and 16 Subscribers to my newsletter

15. I maintain and use records of subscribers to my newsletters, only with their consent, for marketing purposes.
16. I use a third party provider, MailChimp, to deliver my e-newsletters. I gather statistics around email opening and clicks using industry standard technologies including clear gifs to help me monitor and improve my e-newsletter. For information, please see MailChimp's privacy policy (<https://mailchimp.com/legal/privacy/>).

#### Sections 17 & 18 Website Users

17. I use a third party service, MyHosting, to help maintain the security and performance of my website. This site is hosted at MyHosting, which is run by SoftCom. I use MyHosting 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 and help me improve it. MyHosting requires visitors that want to post a comment or contact me online to enter a name and email address. For more information about how MyHosting processes data, please see their privacy policy (<https://myhosting.com/about/policies.aspx>).
18. My website uses a SSL (Secure Sockets Layer) which is the standard security technology for establishing an encrypted link between a web server (MyHosting) and the browser you are using to view my site. This link ensures that all data passed between the webserver and your browser remains private.

#### 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;
- 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;
- your doctor or the police if necessary to protect yours or another person's life;
- the police or a local authority for the purpose of safeguarding a children or vulnerable adults; or
- 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 is your personal data kept?

I keep patient records 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>

Contact details of your paper files are updated if you contact me with new details. Your other information is not updated unless you see me for another treatment. Your file will be destroyed by burning after 7 years. If I die all your files will be burned by the Executor of my Will. If I am ill and can no longer work, with your consent, your files will be given to another practitioner of your choosing or destroyed by fire.

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 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 I am 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/>



#### 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 *48 Bawdale Road, London SE22 9DN*.

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.