



# Privacy Policy

**Date Approved – May 2024**

**Date for Review – April 2025**

## 1. Important information and who we are

### Purpose of this privacy notice

This privacy notice aims to give you information on how TayCare Medical Limited collects and processes your personal data.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice 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 notice supplements the other notices and is not intended to override them.

### Controller

If you are a privately-paying patient, or employed/engaged by an NHS organisation to which we have contracted to provide orthotic products/services, TayCare Medical Limited is the controller and is responsible for your personal data (collectively referred to as "we", "us" or "our" in this privacy notice).

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the data privacy manager using the details set out below.

### Contact details

#### Data Privacy Manager: Laura Taylor

Email address: [Laura.Taylor@taycare.com](mailto:Laura.Taylor@taycare.com)

Postal address: Units 1-2, Royds Close, Leeds LS12 6LL

#### Data Protection Officer: David Million of David Million Associates Limited

Email address: [dmadpo@gmail.com](mailto:dmadpo@gmail.com)

We also operate the website at <https://taycare.com/>

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority 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. The Information Commissioner's address is:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

## Processor

If you are an NHS patient, we provide products/services to you under our contract with the relevant NHS organisation. In these circumstances, we process your personal data as a data processor on behalf of the NHS, for the purpose of performing our contract with them (and the data controller will be the relevant NHS organisation). Where we process personal data as a data processor, we do so strictly in accordance with our contractual obligations to the NHS organisation (the data controller), and in accordance with the legal requirements upon data processors. For details of how your personal data is used in these circumstances, please contact the NHS organisation providing your treatment, as they are the controller of your personal data in these circumstances.

## Changes to the privacy notice and your duty to inform us of changes

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.

We reserve the right to make changes to this privacy notice at any time.

## 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 follows:

- **Identity Data** includes first name, last name, your NHS number and date of birth.
- **Contact Data** if you are a privately-paying patient:- home address, email address and telephone number (Where you are employed/engaged by an NHS organisation, your Contact Data is limited to your work telephone, work email and work address).
- **Health Data** includes details of the products and services we have supplied to you, and your health records generally (but only to the extent that they are relevant to the orthotic health care products/services we provide). Health Data is a Special Category of Personal Data, which means that extra rules apply to our handling of that data.
- **Technical Data** includes internet protocol (IP) address, your login data for our website 'Track & Trace' service, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website.
- **Financial Data** includes bank account and payment card details that you provide to us in respect of your payments to us.

We may also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

### **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 or to provide you with the products and services you have requested, and you fail to provide that data when requested, we may not be able to perform the contract we have or to provide you with the products and services you have requested from us. In this case, we may have to cancel the contract in question that 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 may collect data from and about you through:

- Third parties. We may obtain data about you from the NHS organisation, or the doctors, physiotherapists or other healthcare professionals working for or on behalf of that NHS organisation, that have referred you to us for treatment, or who have previously provided you with treatment.
- Direct interactions. You may also give us your data direct by corresponding with us by post, phone, email, in person or otherwise. This includes for example personal data you provide when you fill in and submit a contact form on our website or where you provide data to one of the Orthotists working for us or on our behalf.
- Automated technologies or interactions. As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We may collect this personal data by using cookies, and other similar technologies.

### **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.

The further condition that we satisfy for processing your Health Data (which is a Special Category of Data) is that we are processing that data for the provision of your health care treatment, and pursuant to a contract with a health professional.

#### **Purposes for which we will use your personal data**

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

## Privately-paying Patients

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
To process and deliver our orthotic products and services to you	(a) Identity (b) Contact (c) Health (d) Financial	Performance of a contract with you
To provide you with information you have requested from us (e.g. through our website enquiry form), respond to enquiries or requests from you, and communicate with you in relation to those enquiries or requests	(a) Identity (b) Contact (c) Health	Necessary for our legitimate interests (response to enquiries or requests)
To manage our relationship with you which will include notifying you about changes to our terms or privacy policy	(a) Identity (b) Contact	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and the administration and management of our business)
To recover debts owed by customers to us	(a) Identity (b) Contact (c) Financial	Necessary for our legitimate interests (in respect of recovering monies or debts due to us)
To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data) and the security of our premises.	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network, premises and asset security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation

## Those employed/engaged by an NHS organisation

Where you are employed/engaged by an NHS organisation (NHS England, NHS Digital, Care Quality Commission, Trusts, Integrated Care Systems, Integrated Care Partnerships, Primary Care Networks, Service Providers, General Practice, Local Authority), we will use your personal data in the same way, for the same purposes, and on the same lawful basis as set out above, except that (i)

we will not have access to (and therefore will not use or process) any of your Health Data, and (ii) we will not have access to (and therefore will not use or process) any of your Financial Data.

## **Marketing**

Where you are employed/engaged by an NHS organisation, we may also process your Identity and Contact Data for the purposes of sending you marketing communications, on the lawful basis of our legitimate interests in marketing and developing our products/services and growing our business. If we do send you marketing communications, you can ask us to stop sending them at any time by following the opt-out links on any marketing communications sent to you or by contacting us at any time. Where you opt out of receiving these marketing communications, this will not apply to personal data that we process and use on a different lawful basis, or in respect of which you continue to consent to us processing.

**We will not share any personal data with any third party for marketing purposes.**

## **Our Website - Cookies**

We may use cookies on our website, which may collect personal data. We may publish a separate Cookie Policy on our website to provide more information about the cookies we use. You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our website may become inaccessible or not function properly.

## **Our Website - Third-party links**

Our 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. 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 notice of every website you visit.

## **Suppliers**

If you are a supplier to us, you will be asked to supply certain personal data to us and we will process that personal data for the purposes of the contract that you and we enter into for the supply of your products.

## **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 have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- Service providers (acting as processors) who provide services to us, including (i) IT service providers (in particular for systems maintenance, back-up and trouble-shooting); (ii) Orthotists engaged by us on a sub-contract basis to provide some of our products and services to you; (iii) We may, very occasionally, have to provide your personal data to our sub-contract manufacturers, or other manufacturers, if they have manufactured a product to your specific requirements before, and it is important that they can identify you so that they (or we) can provide further products to your specific requirements; (iv) Transport companies so they can deliver your product to you.
- The health care professionals who referred you to us (so we can feedback on the health care service we have provided to you, in order that they can continue to provide their own healthcare service to you).
- Professional advisers including bankers, lawyers, auditors, accountants and insurers who provide banking, consultancy, legal, insurance and accounting services.
- HM Revenue & Customs, regulators (including the NHS) and other authorities who may require reporting of processing activities in certain circumstances.
- 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 notice.

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**

We do not transfer your personal data outside the European Economic Area (**EEA**).

## **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 necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

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 requirements.

We are members of the Healthcare and Care Professions Council (“HCPC”), which is a statutory regulator. The HCPC requires us to keep full, clear and accurate records of the healthcare services we provide. The HCPC do not provide guidance on how long such records need to be kept. We have therefore adopted the guidance in the NHS Records Management Code of Practice 2021 (Revised 2023) in respect of the personal data of privately-paying patients, which is that:

- Adult health records are retained for 8 years from when the patient was last seen by us, and
- Children’s records are held until the child’s 25th birthday (or if the patient was 17 at the conclusion of the treatment, the records are held until their 26th birthday).

Please note that by law we are required in any event to keep basic information about our privately-paying customers and NHS Trusts customers for 7 years after they cease being customers, for tax purposes.

We keep personal data relating to our suppliers for longer, as it is in both our interests and theirs that they remain on our system and potentially available for work from us.

In some circumstances you can ask us to delete your data: see below for further information.

In some circumstances we may 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. Please see the further information towards the bottom of this privacy policy. If you wish to exercise any of these rights, please contact our data privacy manager.

### 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 may 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 may 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. 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 or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

### **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: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) 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; or (d) 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.

A handwritten signature in blue ink, appearing to read 'Ben Taylor', with a long horizontal flourish extending to the right.

Approved by: Ben Taylor (Director)