



Data Protection Policy

Purpose:

This policy sets out the obligations that Live & Love it Ltd. ('The Company') will be following regarding data protection and the rights of customers and employees ('data subjects') in regards / respects to their personal data under the General Data Protection Regulation (GDPR).

GDPR states "personal data" is any information relating to an identified or identifiable natural person ("a data subject"); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.

The following policy sets out the procedures that are to be followed when dealing with personal data. The procedures and principles set out must be followed at all times by Live & Love it, its employees, agents and contractors as-well as any third parties working on behalf of Live & Love it.

1) Data Protection Principles

This policy aims to ensure compliance with GDPR. GDPR sets out the following principles with which any party handling personal data must comply:

All personal data must be:

- a) Processed lawfully, fairly, and in a transparent manner in relation to the data subject;
- b) Collected for specified, explicit, and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes.
- c) Adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed.
- d) Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that is inaccurate, having regard to the purposes for which they are processed, is erased or rectified without delay.
- e) Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the Regulation in order to safeguard the rights and freedoms of the data subject.
- f) Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

2) Lawful, Fair and Transparent Data Processing

GDPR seeks to ensure that all personal data is processed and managed in a lawfully, fair and transparent manner without affecting the rights of the data subject. GDPR also states that processing of personal data shall be lawful if at least one of the following applies:

- a) The Data subject has given consent to the processing of his or her personal data for one or more specific purposes.
- b) Processing is necessary for the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract.
- c) Processing is necessary for compliance with a legal obligation to which the controller is subject.
- d) Processing is necessary to protect the vital interests of the data subject or of another natural person.
- e) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- f) Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

3) Processed for Specified, Explicit and Legitimate Purposes

- a) Live & Love it collects and processes the personal data set out in Part 20 of this Policy. This may include personal data received directly from data subjects (for example, contact details used when a data subject communicates with us in any form of media).
- b) Live & Love it only processes personal data for the specific purposes set out in Part 20 of this Policy (or for other purposes expressly permitted by GDPR). The purposes for which we process personal data will be communicated to the data subjects at the time that their personal data is collected, where it is collected directly from them, or as soon as possible (not more than one calendar month) after collection where it is obtained from a third party. Live & Love it does not actively look to obtain data from third parties.

4) Adequate, Relevant and Limited Data Processing

- a) Live & Love it will only collect and process personal data for and to the extent necessary for the specific purpose(s) informed to data subjects.

5) Accuracy of Data and Keeping Data Up To Date

- a) Live & Love it shall ensure that all personal data collected and processed is kept accurate and up-to-date at all times where possible. The accuracy of data shall be checked when it is collected and at regular intervals thereafter. Where any inaccurate or out-of-date data is found, all reasonable steps will be taken without delay to amend or erase that data, as appropriate.

6) Timely Processing

- a) Live & Love it shall not keep personal data for any longer than is necessary in light of the purposes for which that data was originally collected and processed. When the data is no longer required, all reasonable steps will be taken to erase it, securely and without delay.
- b) Live & Love it are obliged to keep patient records until the patient is 25 years old or 7 years past the last time the patient is seen, whichever is longer. This does not effect your right to request your data to be removed.

7) Secure Processing

- a) Live & Love it shall ensure that all personal data collected and processed is kept secure, protected against any unauthorised or unlawful processing and also protected against accidental loss.

8) Accountability

- a) Live & Love it's data protection office is named, and their contact details are available at the end of this document.
- b) Live & Love it shall keep written internal records of all personal data collection, holding and processing which shall incorporate the following information:
 - a. The name and details of Live & Love it, its data protection office and any applicable third party data controllers.
 - b. The purpose for which Live & Love it processes personal data.
 - c. Details of the categories of personal data collected, held and processed by Live & Love it and the categories of the data subject(s) to which that personal data related.
 - d. Details of any third parties that might receive personal data from Live & Love it;
 - e. Details of any personal data to non-EEA countries, including all security safeguards.
 - f. Details of how long personal data will be retained by Live & Love it.
 - g. Detailed descriptions of all technical and organisational measures taken by Live & Love it to ensure the security of all personal data.

9) Privacy Impact Assessments

Live & Love it shall carry out privacy impact assessments when and as required under the Regulation. Privacy impact assessments shall be overseen by Live & Love it's data protection officer and shall address the following areas:

- a) The purpose(s) for which personal data is being processed and the processing operations to be carried out on that data.
- b) Details of the legitimate interests being pursued by Live & Love it.
- c) An assessment of the necessity and proportionality of the data processing with respect to the reason for which it is being processed.

10) GDPR sets out the following rights applicable to data subjects:

- a) The right to be informed.
- b) The right of access.
- c) The right of rectification.
- d) The right to erasure (Also known as "The right to be forgotten").
- e) The right to restrict processing.
- f) The right to data portability.
- g) The right to object.
- h) Rights with respect to automated decision-making and profiling.

11) Keeping Data Subjects Informed

- a) Live & Love it shall ensure that the following information is provided to the data subject when personal data is collected:
 - a. Details of Live & Love it including, the identity of its data protection office;
 - b. The purpose for which the personal data is being collected.
 - c. Where applicable, the legitimate interests upon which Live & Love it is justifying its collection of personal data.
 - d. Where personal data is to be transferred to one or more third parties, details of those parties.
 - e. If data is to be transferred our outside of the European Economic Area ("The EEA"), details of the transfer as well as the safeguards in place to protect this information.
 - f. Details of the subject's rights, under GDPR.

12) Data Subject Access

- a) A data subject may make a subject access request at any time to find out about the personal information Live & Love it holds on them. Live & Love it is required to respond to any subject access requests within a reasonable time frame, being no more than one calendar month of the request.
- b) All subject access requests received if not directly by Live & Love it's data protection officer, must be forwarded at the earliest point in time to Live & Love it's data protection officer.
- c) Live & Love it does not charge a fee for the handling of subject access requests. Live & Love it does reserve the right to charge a reasonable fee for additional copies of information that has already been provided and repeat requests.

13) Rectification of Personal Data

- a) If a data subject informs Live & Love it that personal data held by Live & Love it is inaccurate or incomplete, requesting that it be rectified, the personal data in question will be rectified at the earliest point possible.
- b) In the event the data had been disclosed to third parties, those parties shall be informed to rectify any data.

14) Erasure of Personal Data

- a) Data Subjects may request that Live & Love it erases the personal data it holds on them, in the following circumstances:
 - a. It is no longer necessary for Live & Love it to hold that personal data with respect to the purpose for which it was originally collected or processed.
 - b. The data subject wants to withdraw their consent to Live & Love it holding their personal data.
 - c. The data subject objects to Live & Love it holding their personal data (and there is not overriding legitimate interests to allow Live & Love it doing so) (See Part 18, for further details).
 - d. The personal data was processed unlawfully.
 - e. The personal data needs to be erased in order for Live & Love it to comply with a legal obligation.
- b) Unless Live & Love it has reasonable grounds to refuse the removal of personal data, all requests shall be complied with, and the data subject informed once the erasure has been completed. Within a reasonable time frame, but no more than 2 calendar months.
- c) In the event that any affected personal data has been shared with third parties, those parties will be also be informed to remove the data (unless it is impossible to do so).

15) Personal data Processing Restriction

- a) Data subjects may request that Live & Love it ceases processing the personal data it holds on them.
- b) In the event that any affected personal data has been shared to third parties. These parties will be informed to apply the restriction.

16) Objections to Personal Data Processing

- a) The data subject has the right to object to Live & Love it processing their personal data, based on legitimate interests, as long as this does not affect Live & Love it directly.
- b) Where a data subject objects to Live & Love it processing their personal data based on its legitimate interests, Live & Love it shall cease such processing, unless it can demonstrate that Live & Love it's has legitimate grounds for such processing or the processing is necessary for the conduct of legal claims, override the data subject's interests, rights and freedoms.
- c) Where a data subjects objects to Live & Love it processing their information for direct marketing.

17) Automated Decision-Making

- a) In the event that Live & Love it uses personal data for the purposes of automated decision-making (e.g Automated Invoicing) and those decisions have a legal (or similarly significant effect) on data subjects, data subjects have the right to challenge such decisions under GDPR, by requesting human intervention.

18) Profiling

Where Live & Love it uses personal data for profiling reasons, the following will apply:

- a) All personal data processed for profiling reasons will be secured in order to prevent discrimination.
- b) Clear information and guidelines explaining the profiling will be provided where necessary.

19) Personal Data

- a) The following data may be collected, held and processed by Live & Love it:

Childs Information:

- a. Names; including, First, Middle, Last and any know alias.
- b. Date of birth
- c. Gender
- d. Contact details
 - i. Email addresses
 - ii. Home addresses
 - iii. Contact numbers; including but not limited to: Home, Mobile and Work.
- e. School; name, year group, level of support
- f. Allergies and Dietary Requirements
- g. Relevant medical history; diagnosis, healthcare professionals involved in care, hearing and vision test results
- h. Pregnancy and birth history
- i. Developmental information and milestones
- j. Daily routines
- k. Results of standardised assessments
- l. Observational information; including but not limited to sensory processing, motor skills, handwriting, visual motor skills, social, emotional and play skills.
- m. Clinical notes related to each therapy session

Parents/Guardians Information:

- a. Names; including, First, Middle, Last and any know alias.
- b. Gender
- c. Marital status and sexual orientation
- d. Health information; medical conditions, disabilities or additional needs
- e. Personal Contact Details
 - i. Contact numbers; including but not limited to: Home, Mobile and Work.
 - ii. Address
 - iii. Email addresses
- f. Clinical notes recording od observation in sessions

Siblings Information

- a. Names
- b. Ages
- c. School



- d. Clinical notes observations if in attendance at a session

Further data may be processed and collected, Live & Love it shall review data collected yearly and make any necessary amendments to this document.

20) Data protection measures

Live & Love it, may share data with third parties for the purpose of accounting and clinical supervision. Live & Love it shall ensure that all its employees, agents, contactors and another other parties working on its behalf will comply with the following when working with personal data.

- a) All emails containing personal data must be sent securely and only for legitimate business reasons.
- b) Access to personal data stored on Live & Love it's servers is only available via a secure VPN connection.
- c) Personal data may only be transmitted over secure networks; transmissions over unsecured networks is not permitted, unless there is a legitimate reason.
- d) Personal data may not be transmitted over a wireless network, if there is a wired alternative that is reasonably practicable at the time of transfer.
- e) All hardcopies of personal data, along with any electronic copies stored on physical, removable media should be store securely in a lockable box, drawer or similar.
 - a. Excluding Mobile devices & Laptops (See Section F)
- f) Personal data must be handled with care at all times, it should not be left unattended or on view to unauthorised personnel.
- g) If personal data is being viewed on a computer screen and the device is to be left unattended, the device must be locked with a password.
- h) No data should be stored without prior approval from Live & Love it's data protection officer on any mobile devices:
 - a. Data stored on mobile devices must be secured by the devices built in Password and encryption methods.
- i) No personal data should be transferred to any devices owned by an employee without prior approval from Live & Love it's data protection officer.
- j) All personal data stored electronically should be backed up within a 24hour period, with on-site and off-site backups being generated.
- k) Under no circumstances should any password be written down or shared between any employees, agents, contractors or any other parties working on behalf of Live & Love it.