



## **Precious Moments and Health Limited** **General Data Protection Regulations Privacy Policy**

### **1. Introduction**

This is our GDPR Privacy Policy. It tells you how we collect and process data received from you. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it. The responsibility of Data Protection and GDPR lies with the Managing Director of Precious Moments and Health Ltd. This policy will be reviewed and updated at planned intervals or when required to ensure it remains relevant.

Staff, volunteers and contractors will receive awareness training shortly after being appointed, with updates at regular intervals when required, in relation to Data Protection.

If you have any comments on this privacy policy, please email them to [preciousmomentsandhealthltd@gmail.com](mailto:preciousmomentsandhealthltd@gmail.com)

### **2. Who We Are**

Here are the details that the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regards to the processing of personal data and on the free movement of such data, known as General Data Protection Regulation (**GDPR**) says we have to give you as a 'data controller':

- Our site address is [www.preciousmomentsandhealthltd.co.uk](http://www.preciousmomentsandhealthltd.co.uk)
- Our company name is Precious Moments and Health Limited
- Our registered address is 46 Cedar Avenue, Enfield, EN3 7JD
- We can be contacted at [preciousmomentsandhealthltd@gmail.com](mailto:preciousmomentsandhealthltd@gmail.com)

### **3. What we may collect**

In all cases, individuals and organisations will be required to complete an application or referral form in order for us to provide relevant services. Consent would be given via this format for us to process personal data for a specific purpose. We may collect and process the following data about you:

- Information you put into forms or surveys
- Your name, address, DBS information, your date of birth, telephone number, email address, purpose for referral and any additional information that we need in order to be able to provide our services to you
- A record of any correspondence between us
- Details of transactions you carry out with us



- We may collect special categories of data relating to children and families, such as children looked after by a local authority or children supported by social services
- Details of your visits to our site and the resources you use
- Information about your computer (e.g. your IP address, browser, operating system, etc.) for system administration and to report aggregate information to our advertisers

Under GDPR we will ensure that your personal data is processed lawfully, fairly, and transparently, without adversely affecting your rights. We will only process your personal data if at least one of the following basis applies:

- a) you have given consent to the processing of your personal data for one or more specific purposes;
- b) processing is necessary for the performance of a contract to which you are a party or in order to take steps at the request of you prior to entering into a contract;
- c) processing is necessary for compliance with a legal obligation to which we are subject;
- d) processing is necessary to protect the vital interests of you 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; and/or
- f) processing is necessary for the purposes of the legitimate interests pursued by us or by a third party such as our credit card payment processing, 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.

#### **4. Cookies**

If any Cookies are used by and on our website they are used in accordance with current English and EU Cookie Law.

The site may use cookies or similar technology to collect information about your access to the site. Cookies are pieces of information that include a unique reference code that a website transfers to your device to store and sometimes track information about you.

A few of the cookies we may use last only for the duration of your web session and expire when you close your browser. Other cookies may be used to remember you when you return to the site and will last for longer.

**All cookies used on our site will be set by us.**



Most computer and some mobile web browsers automatically accept cookies but, if you prefer, you can change your browser to prevent that or to notify you each time a cookie is set. You can prevent the setting of cookies by adjusting the settings on your browser. Please note however, that by blocking or deleting cookies you may not be able to take full advantage of the site.

**Our cookies may be used for:**

Essential session management

- creating a specific log-in session for a user of the site in order that the site remembers that a user is logged in and that their page requests are delivered in an effective, secure and consistent manner;
- recognising when a user of the site has visited before allowing us to identify the number of unique users we receive to the site and make sure we have enough capacity for the number of users that we get;
- recognising if a visitor to the site is registered with us in any way;
- we may also log information from your computer including the existence of cookies, your IP address and information about your browser program in order to allow us to diagnose problems, administer and track your usage of our site.

Functionality

- customising elements of the promotional layout and/or content of the pages of the site.

Performance and measurement

- collecting statistical information about how our users use the site so that we can improve the site and learn which parts are most popular to users.

**5. How we use what we collect**

We use information about you to:

- To provide our services to you, such as counselling and mentoring services
- Present site content effectively to you.
- Provide information, products and services that you request, or (with your consent) which we think may interest you.
- Carry out our contracts with you.
- Undertake our recruitment activities.
- Allow you to use our interactive services if you want to.
- Tell you our charges.



- Tell you about other goods and services that might interest you. We will also let other people do this, and we (or they) may contact you.

In all cases of personal data retention, we seek consent from individuals and organisations. Where we process personal information about children, we will get consent from whoever holds parental responsibility for children & young people under 18.

You will only be contacted for marketing purposes if you agree to it. Although it is not our normal practice to send any personal data to anyone for marketing purposes.

***Please note: We don't identify individuals to our advertisers, but we may give them aggregate information to help them reach their target audience. We may use anonymous information we have collected to display advertisements to that audience.***

In addition, if you don't want us to use your personal data for any of the reasons set out in this section 5, you can let us know at any time by contacting us at [preciousmomentsandhealthltd@gmail.com](mailto:preciousmomentsandhealthltd@gmail.com) and we will delete your data from our systems. However, you acknowledge this may limit our ability to provide the best possible services to you.

In some cases, the collection of personal data may be a statutory or contractual requirement, and we will be limited in the services we can provide you if you don't provide your personal data in these cases. We may also be required legally to retain your personal information in accordance with HMRC, employment law and local authority guidance. Where this is applicable, we will retain your personal information for between 7 and 21 years, depending on the type of records, who it applies to and the legal retention periods (see Appendix).

## **6. Where we store your data**

We may transfer your collected data to storage outside the European Economic Area (EEA). It may be processed outside the EEA to fulfil our obligations, services, your order and deal with payment. By giving us your personal data, you agree to this arrangement. We may also transfer your personal data outside the EEA where you give consent to us to do so.

We will do what we reasonably can to keep your data secure. Your data is stored manually as well as online on a PC and laptop securely and encrypted for additional security, with backups done periodically. Where payment is taken electronically it is encrypted. If we give you a password, you must keep it confidential. Please don't share it. Although we try to provide protection, we cannot guarantee complete security for your data, and you take the risk that any sending of that data turns out to be not secure despite our efforts.

We only keep your personal data for as long as we need to in order to use it as described above in section 5, and/or for as long as we have your permission to keep it, or in case where we are required to store your personal data by law. In any event, we will conduct a periodical



review to ascertain whether we need to keep your personal data. Your personal data will be deleted by shredding your information if we no longer need it.

## **7. Disclosing your information**

We are allowed to disclose your information in the following cases:

- If we want to sell our business, or our company, we can disclose it to the potential buyer.
- We can disclose it to other businesses in our group.
- We can disclose it if we have a legal obligation to do so, or in order to protect other people's property, safety or rights.
- We can exchange information with others to protect against fraud or credit risks.

We may contract with third parties to supply services to you on our behalf. These may include payment processing, search engine facilities, advertising and marketing. In some cases, the third parties may require access to some or all of your data. These are the third parties that have access to your information so that we can provide our services to you:

- Mentors and counsellors
- Financial software or similar providers
- Electronic storage providers

For a full list of third parties used for the processing of your personal data please contact us at [preciousmomentsandhealthltd@gmail.com](mailto:preciousmomentsandhealthltd@gmail.com)

Where any of your data is required for such a purpose, we will take all reasonable steps to ensure that your data will be handled safely, securely, and in accordance with your rights, our obligations, and the obligations of the third party under GDPR and the law. We will use Egress to ensure your personal data is sent via a safe and secure network and encrypted for security.

## **8. Your rights**

You can ask us not to use your data for marketing. You can do this by ticking the relevant boxes on our forms, or by contacting us at any time at [preciousmomentsandhealthltd@gmail.com](mailto:preciousmomentsandhealthltd@gmail.com)

Under the GDPR, you have the right to:

- request access to, deletion of or correction of, your personal data held by us at no cost to you;
- request that your personal data be transferred to another person (data portability);
- be informed of what data processing is taking place;
- restrict processing;



- to object to processing of your personal data; and
- complain to a supervisory authority.

You also have rights with respect to automated decision-making and profiling as set out in section 11 below. We recognise the right of individuals to object having their data collected and retained in certain circumstances and will respond to requests made verbally or in writing within one month of receipt.

Occasionally we will process personal data for the purpose of scientific research or statistical purposes. The main information required would involve evaluation of services provided and will not involve breach of any personal data. However, if there is a case where we may use personal data for statistical purposes, we will seek consent and may refuse the right to object if the processing is necessary for the performance of a task carried out for reasons of public interest.

In exceptional circumstances i.e. instances of abuse, safeguarding, we will demonstrate compelling legitimate grounds for the processing of personal data, which override the interests, rights and freedoms of the individual; or where we are processing for the establishment, exercise or defence of legal claims.

To enforce any of the foregoing rights or if you have any other questions about our site or this Privacy Policy, please contact us at [preciousmomentsandhealthltd@gmail.com](mailto:preciousmomentsandhealthltd@gmail.com)

## **9. Links to other sites**

Please note that our terms and conditions and our policies will not apply to other websites that you get to via a link from our site. We have no control over how your data is collected, stored or used by other websites and we advise you to check the privacy policies of any such websites before providing any data to them.

## **10. Changes**

If we change our Privacy Policy, we will post the changes on this page and update our website accordingly. If we decide to, we may also email you.

## **11. Automated Decision-Making and Profiling**

We do not use personal data for the purposes of automated decision-making or profiling.

## **12. Data Breach & Dispute Resolution**

In cases of Data breach, we understand we have a duty to report certain types of personal data breaches to the ICO and in some cases, to the individuals affected. A data breach means breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data. We will notify the ICO of a breach



within 72 hours (unless it is unlikely to result in a risk to the rights and freedoms of individuals). In all cases, a record will be maintained of any personal data breaches.

The Parties will use their best efforts to negotiate in good faith and settle any dispute that may arise out of or relate to this Privacy Policy or any breach of it. Any breach or disputes will be handled by the Managing Director of Precious Moments and Health Ltd.

If any such dispute cannot be settled amicably through ordinary negotiations between the parties, or either or both is or are unwilling to engage in this process, either party may propose to the other in writing that structured negotiations be entered into with the assistance of a fully accredited mediator before resorting to litigation.

If the parties are unable to agree upon a mediator, or if the mediator agreed upon is unable or unwilling to act and an alternative mediator cannot be agreed, any party may within 14 days of the date of knowledge of either event apply to LawBite to appoint a mediator under the LawBite Mediation Procedure.

Within 14 days of the appointment of the mediator (either by mutual agreement of the parties or by LawBite in accordance with their mediation procedure), the parties will meet with the mediator to agree the procedure to be adopted for the mediation, unless otherwise agreed between the parties and the mediator.

All negotiations connected with the relevant dispute(s) will be conducted in confidence and without prejudice to the rights of the parties in any further proceedings.

If the parties agree on a resolution of the dispute at mediation, the agreement shall be reduced to writing and, once signed by the duly authorised representatives of both parties, shall be final and binding on them.

If the parties fail to resolve the dispute(s) within 60 days (or such longer term as may be agreed between the parties) of the mediator being appointed, or if either party withdraws from the mediation procedure, then either party may exercise any right to seek a remedy through arbitration by an arbitrator to be appointed by LawBite under the Rules of the LawBite Arbitration Scheme.

Any dispute shall not affect the parties' ongoing obligations under this Privacy Policy.

**Mauva Johnson-Jones**  
**Managing Director**  
**Precious Moments and Health Ltd**



## **APPENDIX**

### **1. Personal Data Breach Reporting**

### **2. Personal Data Breach Process**

### **3. Record and Retention Periods**



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## Personal Data Breach Reporting

To report a data breach to ICO, complete the details below then contact them on

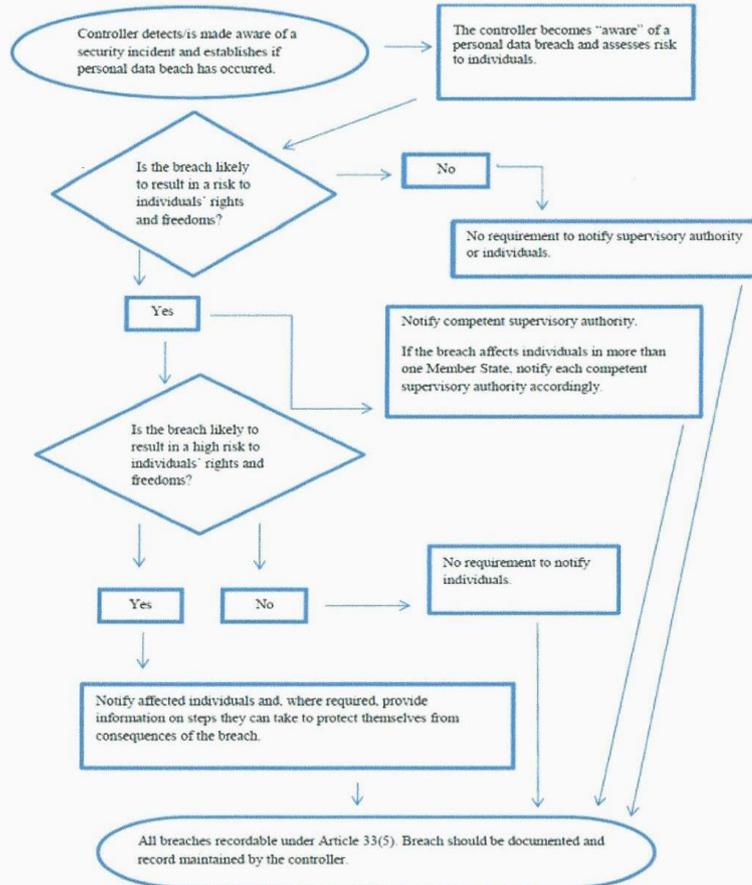
Tel: 0303 123 1113.

Questions	
What happened?	
When and how did you find out about the breach?	
Name the people that have been or may be affected by the breach	
What you are doing as a result of the breach?	
Who should be contacted if ICO need further information?	
Who else has been told?	



PRECIOUS MOMENTS AND HEALTH LTD

### Data Protection Breach process



Precious Moments and Health Ltd

## Personal Data Breach Reporting

Contractor closed records will be retained for 1 year.

Counselling clients closed records will be retained for 1 year.

Mentoring clients closed records will be retained for 1 year.

However, where the following is applicable information will be retained for a minimum of 7 years.

Records	Retention
Children's and parent's records including: <ul style="list-style-type: none"> <li>• Parental Permission forms</li> <li>• Contract terms and conditions</li> <li>• Local Authority data for funded places</li> <li>• Activity summaries</li> </ul>	The recommendation is <b>for 7 years after the child has left the service provision.</b>  In special circumstances some documents may be required to be kept for 21 years and 3 months or 25 years depending on insurance terms and conditions. This would include: <ul style="list-style-type: none"> <li>• Issues of Child Protection</li> <li>• Child badly injured</li> <li>• Child is on regular medication</li> <li>• Child has severe allergies</li> <li>• Child has serious illness</li> </ul>
Images of children/families <ul style="list-style-type: none"> <li>• Photographs/Videos</li> <li>• Websites</li> <li>• Social media posts</li> <li>• Cloud storage</li> <li>• Learning journals</li> <li>• Online journals</li> </ul>	Photographic/video/audio visual permissions given by parents on behalf of children <b>should be deleted once the child or family is no longer receiving support or engaging with our services, unless permission has been given by parent to keep images for a purpose i.e., website, brochure etc.</b>
Records of: <ul style="list-style-type: none"> <li>• Reported death</li> <li>• Injury</li> <li>• Disease</li> <li>• Dangerous occurrence</li> <li>• Accident/incident records</li> <li>• Risk assessment specific to a child</li> <li>• Child protection</li> </ul>	As accidents and incidents could result in potential negligence claims, records should be kept until the child reaches the age of 21 years and 3 months or until the child reaches 25 years depending on insurance terms and conditions.
Insurance certificates	Since 1 October 2008 there is no legal requirements for employers to keep copies of



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	out of date certificates. However, employers are strongly advised to keep a complete record of their employer's liability insurance.
GDPR Data Protection audit	Reviewed and updated <b>annually</b> .
Health and Safety risk assessments	<b>Minimum of 3 years from date recorded.</b> See insurance company terms and conditions.
Staff records	HMRC & employment law is 6 years and 11 months for business records and staff wages etc. Some revert to the default timeline of <b>7 years to avoid confusion and ensure compliance.</b>
Application forms/CV etc for unsuccessful candidates	The average is <b>between 6 months to 1 year</b> , ensure it is written in your Data Protection Policy or inform candidates on your application form, so they are fully aware of your procedures for retaining and destroying their personal information.
Child Protection: Allegations against staff/contractors (whether founded or not), employers must keep a clear and comprehensive summary of: <ul style="list-style-type: none"> <li>• Allegations made</li> <li>• Any action taken</li> <li>• Decision reached</li> </ul>	These details should be kept in a person's confidential personnel file and a copy should be given to the individual. Such information should be retained on file, including people who leave the organisation, at least until the person reaches normal retirement age, or for 10 years if that is longer.
Accounting records	HMRC & employment law is 6 years and 11 months for business records and staff wages etc. Some revert to the default timeline of 7 years to avoid confusion and ensure compliance.