

## Privacy notice

This Privacy Notice applies to all business activities of Heaven and Earth Community Ltd ([www.heavenandearthcommunity.co.uk](http://www.heavenandearthcommunity.co.uk)), which includes Marcus Mason Acupuncture ([www.acupuncture-tavistock.co.uk](http://www.acupuncture-tavistock.co.uk)), Sue Weaver Crystal & Shamanic Healing, Sue Weaver's Crystal Barn, Cornwall School of Crystal Healing ([www.sueweaver.co.uk](http://www.sueweaver.co.uk)), Heaven & Earth Astrology, Heaven & Earth Sacred Journeys and the Healing Earth Community Project ([www.heavenandearthcommunity.co.uk](http://www.heavenandearthcommunity.co.uk)).

### Purpose of privacy notice

The processing of personal data is governed by the General Data Protection Regulation 2016/679 (GDPR). This legislation replaces previous data privacy law, giving more rights to you as an individual and more obligations to organisations holding your personal data.

One of the rights is a right to be informed, which means we are obliged give you even more information than we do now about the way in which we use, share and store your personal information.

We are publishing this privacy notice, so you can access this information, along with information about the increased rights you have in relation to the information we hold on you and the legal basis on which we are using it.

This privacy notice came into effect on 25 May 2018 and is published on our websites.

### Who are we?

Marcus Mason is the data controller for Heaven and Earth Community Ltd. This means he decides how your personal data is processed and for what purposes. Marcus Mason and Sue Weaver are the data processors for Heaven and Earth Community Ltd.

### Whose information does this privacy notice apply to?

This privacy notice applies to information we collect from:

- patients; prospective patients; former patients;
- clients; prospective clients; former clients;
- students; teachers and workshop leaders for Heaven & Earth Community
- people who express an interest in, or join us on our sacred journeys, courses, workshops, ceremonies;
- people who subscribe to our mailing list and newsletters; visitors to our website;
- volunteers;

## 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 in the data controller's possession or likely to come into such possession. Examples of personal data we may hold about you include your contact and appointment details, including email addresses.

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, client notes and student notes.

## How do we process your personal data?

We comply with our 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. We use your personal data for the purposes set out below.

### **Sections 1 – 15 apply to our patients, prospective patients, former patients and visitors to our clinics**

1. We use your name, address, telephone number and email address (if given) to make and rearrange appointments. We are unable to send or receive encrypted emails, so you should be aware that any emails we send or receive may not be protected in transit. We will also monitor any emails sent to us, including file attachments, for viruses or malicious software. Please be aware that you have a responsibility to ensure that any email you send us is within the bounds of the law. Your name and address are stored in your paper file; your telephone number is stored in your paper file and may also be stored electronically on a mobile phone, tablet, or computer; your email address (if given) will be stored electronically on a mobile phone, tablet, or computer).
2. We use your name, address, telephone number and email address, only if we have your explicit consent, to send you marketing materials. We are unable to send or receive encrypted emails, so you should be aware that any emails we send or receive may not be protected in transit. We will also monitor any emails sent to us, including file attachments, for viruses or malicious software. Please be aware that you have a responsibility to ensure that any email you send us is within the bounds of the law.
3. We keep permanent attendance registers, in a paper diary or electronically, which record all appointments for patients attending our clinics 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 our regulatory bodies, the British Acupuncture Council (BACc), and the Association of Crystal Healing Organisations (ACHO).

4. We may use your date of birth to help identify patients with the same name to avoid mistakes being made as to safe and appropriate treatment, for identification purposes if referring a patient to another health practitioner, and for identification purposes if writing to a registered medical practitioner so that they correctly identify the patient.
  5. We use your presenting complaint and symptoms reported by you for the purposes of making a full traditional acupuncture diagnosis or crystal healing assessment, formulating treatment strategy and treatment planning. Stored in your paper file.
  6. We use any relevant medical and family history you have told us for making a full traditional acupuncture diagnosis or crystal healing assessment, formulating treatment strategy and treatment planning. Stored in your paper file.
  7. We use your GP's name and address in the event that we need to contact your GP including in an emergency and because it is a mandatory requirement in the Code of Professional Conduct of the British Acupuncture Council and the Association of Crystal Healing Organisations. Stored in your paper file.
  8. We use our clinical findings about your health and wellbeing for making a diagnosis, and formulating treatment strategy and treatment planning. Stored in your paper file.
  9. We 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 us to: review the diagnosis, treatment strategy and planning; and to secure evidence in the event of criminal proceedings, civil litigation, an insurance claim or complaint. Stored in your paper file.
  10. We record and use any information and advice that we 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. Stored in your paper file.
  11. We 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. Stored in your paper file.
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12. We keep accident records for any patients, students, visitors, staff or volunteers who are involved in accidents at our premises 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. Stored in a paper accident book.
13. In the event of an adverse incident occurring to any of our patients we report the matter to the British Acupuncture Council and our 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 BAcC's insurers, ACHO's insurers and other interested parties.
14. Where relevant we 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. Stored in your paper file.

#### **Section 15 applies to those who complain about our services**

15. When we receive a complaint from a person we make up a file containing the details of the complaint. This normally contains the identity of the complainant and any other individuals involved in the complaint. This information may be stored in a paper file and communicated by post or be stored electronically on a computer or tablet and communicated by email.

We will only use the personal information we collect to process the complaint and to check on the level of service we provide. We 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, we will try to respect that. However, it may not be possible to handle a complaint on an anonymous basis. We may need to provide personal information collected and processed in relation to complaints to the British Acupuncture Council, the Association of Crystal Healing Organisations, or our insurance companies.

We 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 us we will only use the information supplied to us to deal with the enquiry and any subsequent issues and to check on the level of service we provide.

**Sections 16 and 17 apply to subscribers to our newsletters**

16. We maintain and use electronic records of subscribers to our Heaven and Earth Community newsletters, only with their consent, for marketing purposes.
17. We use a third-party providers Squarespace, to deliver our e-newsletters. We gather statistics around email opening and clicks using industry standard technologies including clear gifs to help us monitor and improve our e-newsletter. For information, please see Squarespace privacy notice.

**Sections 18 – 22 apply to our website users**

18. We use website cookies to improve user experience of our website by enabling our website to 'remember' users, either for the duration of their visit - using a 'session cookie' - or for repeat visits - using a 'persistent cookie'. You can remove these cookies from your computer, by going to 'History' and then 'Clear Recent History', after you have visited our websites.
19. We use Squarespace to help maintain the security and performance of our website. To deliver this service it processes the IP addresses of visitors to our website.
20. We use Squarespace to host our website, including publishing our blogs. This site is hosted at [www.squarespace.com](http://www.squarespace.com) and run by Squarespace in New York City. We 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 us improve it. For more information about how Squarespace processes data, please see <https://www.squarespace.com/privacy>
21. If you sign up to our website mailing list, the contact information you provide will be stored securely by Squarespace and you may unsubscribe at any time.

**Sections 23 applies to volunteers, self-employed teachers and workshop leaders, working at / for Heaven and Earth Community.**

22. We are the data controller for those who apply to work as volunteers at Heaven and Earth Community projects; also for those who visit us to work as self-employed teachers at Heaven & Earth Community and / or Cornwall School of Crystal Healing.

Any personal information you provide will only be used for the purpose of processing your application, or to fulfil legal or regulatory requirements if necessary.

We will not share any of the information you provide during this process with any third parties for marketing purposes or store any of your information outside of the European Economic Area. The information you provide will be held securely by us whether the information is in electronic or physical format.

We will use the contact details you provide to us to contact you and to process your application.

We do not collect more information than we need to fulfil our stated purposes and will not retain it for longer than is necessary.

The information we ask for is used to assess your suitability for volunteering or for working at Heaven & Earth Community as a visiting teacher, in a self-employed capacity.

We ask you for your personal details including name and contact details. We may also ask you about your previous experience.

We may also request your Bank details – to process payments to you for services rendered.

We may also request emergency contact details – so we know who to contact in case you have an emergency at work.

## Sharing your personal data

Your personal data will be treated as strictly confidential, and will only be shared:

- with named third parties with your explicit consent;
- with 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;
- with your doctor or the police if necessary to protect yours or another person's life;
- with the police or a local authority for the purpose of safeguarding children or vulnerable adults; or
- with our regulatory bodies, the British Acupuncture Council, ACHO, or our insurance companies in the event of a complaint or insurance claim being brought against us; or
- our solicitor in the event of any investigation or legal proceedings being brought against us.

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 do we keep your personal data?

We keep your personal data for no longer than is reasonably necessary.

We keep patient records for a minimum period of 10 years, which includes the 7 years' period allowed for any complaint to arise, in accordance with our Codes of Professional Conduct (see below), plus a 3 years period allowed for the legal processing of any such complaint:

<https://www.acupuncture.org.uk/public-content/effective-practice/bacc-professional-codes.html>

<http://www.crystal-healing.org/wp-content/uploads/files/documents-and-forms/ACHO%20Code%20of%20Conduct%202016.pdf>

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 we hold about you.
- The right to request that we 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 us to retain such data.
- The right to withdraw your consent to the processing at any time. This right does not apply where we are 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. We 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.



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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 we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we 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, we 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 us at [info@heavenandearthcommunity.co.uk](mailto:info@heavenandearthcommunity.co.uk)

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.

END OF PRIVACY NOTICE