



# Privacy Policy

## Introduction and who we are

This Privacy Policy is to provide information to individuals, including clients, prospective clients, their parents, carers or guardians (together “parents”), as well as employees, service providers and others concerned with data use who reside in the UK and EU (“you” / “your”) about our privacy policies in relation to them.

360Sleep is a data controller registered with the Information Commissioner’s Office (“the company” / “we” / “us” / “our”)

We take your privacy very seriously. This privacy policy explains our policies and practices regarding our processing of your personal data, and explains your privacy rights under applicable privacy and security laws.

## What personal data we collect, why we collect it and how we use it

**Personal data definition:** Personal data means any information relating to an identified or identifiable living person, based on factors such as the physical, physiological, genetic, mental, economic, cultural or social identity of that person.

**Special Category data:** As part of some activities, we need to process special category personal data (concerning health, ethnicity, religion, genetics or sexual life/preferences) or criminal records information in accordance with rights or duties imposed on us by law.

### Activity 1 – Your general use of our website

What personal data we may use

- Name, title, gender.
- Contact details (email address, business address).
- Other personal data that you provide to us in your contact with us through our website, such as your address(es), phone numbers, description of yourself, and your requirements or comments.
- Information about your use of our website, such as IP address, technology used and location.
- Information from cookies.
- Information about any consents for us to process personal data.
- Health, genetic or otherwise special category data that you give to us.

Lawful basis for processing

- General personal data processing is necessary for our legitimate interests, to get to know you, manage and respond to communications with you, present location-appropriate information to you, and maintain our websites. We consider there is no other way of achieving the same objects, and that our use of such data is proportionate to your interests, rights and freedoms.



- Special category data processing in general use of our website and services will only occur if you volunteer the information, and as such, we consider that constitutes explicit consent to process it.

For the avoidance of doubt

- If you use our websites to make special category information public, such as by making comments or reviews to pages or blogs, then you may lose some rights not to have that information processed by other parties.
- At our discretion, we may moderate or edit your comments or reviews, even if you make factual statements about your health or experience with our services, for reasons including reducing the impact of such disclosures, or if we think they could be construed to be medical claims. However we believe in the presumption we should leave what you write intact without good reason to change it.

### **Activity 2 – Your wish to receive marketing information**

Personal data we may use, in addition to general web data

- Your communication preferences (what types of communication you want to receive, when you want to stop receiving communications, feedback, and requests relating to our communications).
- Any other personal data that you disclose to us.

Lawful basis for processing

- We have legitimate interests in getting to know clients, potential clients, and other people interested in sleep coaching. We consider there is no other way of achieving the same objects, and that our use of such data is proportionate to your interests, rights and freedoms.
- We also have a legitimate interest in the way we use marketing, which is mostly to provide useful information to people. We consider there is no other way of achieving the same objects, and that our use of such data is proportionate to your interests, rights and freedoms.
- In some circumstances, we provide marketing information on the basis of consent, where you have specifically agreed to receive communications.

For the avoidance of doubt

- We will not put you on a group mailing list unless you have specifically consented.
- If you make a general enquiry or contact form submission without consenting to marketing or newsletters, we will not put you on a group mailing list.
- If you give us your business card or otherwise personally give us your contact details, we will not put you on a group mailing list, unless, given the context (such as you are a journalist or researcher) it seems appropriate that our legitimate interest balances your interests.

### **Activity 3 – Customer relationship with service purchase**

Personal data we may use, in addition to general web data

- Your viewing activity
- Location data
- Payment information

Lawful basis for processing



- We process this data on the basis of legitimate interests prior to booking a consultation. We consider there is no other way of achieving the same objects, and that our use of such data is proportionate to your interests, rights and freedoms.
- After a consultation booking, we process your data on the basis of contract in order to make the transaction with you, and account for it.
- We also may process the data on the basis of legitimate interests after the sale. This may be to analyse it and help ensure we are offering a good service that people want.

#### **Activity 4 – Customer relationship with 360Sleep**

Personal data we may use, in addition to general web data

- Prior to agreeing to a consultation, you may give us general or specific information about your family situation.

Lawful basis for processing

- We process this data on the basis of explicit consent to discuss your family, and specifically sleep, situation to your agreeing to a consultation.
- After you have agreed to a consultation, we process the data on the basis of a contract with a sleep professional.

#### **Activity 5 – Other activities**

Personal data we may use, in addition to general web data

- As part of general management of our business, we may come across personal data for various other reasons, such as business management, financial, legal, regulatory and compliance.

Lawful basis for processing

- We process this data on the basis of legitimate interests to manage our business. We consider whether there is any other way of achieving the same objects, and whether our use of such data is proportionate to your interests, rights and freedoms.

#### **How we protect, collect, process, transmit and store your personal data**

We collect your information online both through your submission of information and by automated information collection. In consultations, telephone or email support, we may collect and record personal information. Written notes are digitised after the consultation and then subsequently destroyed by shredding.

We store and transmit data using strong encryption where we can and where appropriate.

Some data is physically stored with third parties but encrypted in such a way that they do not have access to it. We do not consider this to be “sharing”, and we consider that once it is properly encrypted, it is no longer personal information that can be attributed to a living person.

Data is centralised and only one copy is held on a password protected cloud network.

We don't just rely on luck to avoid data breaches, because we are very careful with your data, but if one were to happen, we would follow appropriate legal and regulatory guidelines, and keep you properly informed.



### **What third parties we share personal data with**

- Direct marketing – [Mailchimp](#)
- Web site hosting – [Wix](#)
- Email providers – [Microsoft](#)
- Payment service providers
- We may need to share data to governmental, legal, judicial or regulatory parties for reasons outside our control.

### **How long we keep your data**

We assess all types of data and associated locations, and determine appropriate retention times. We will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason.

Other personal data will be kept for as long as it is needed for our relationship, and to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

In some cases, even after removal, a limited and reasonable amount of information will be kept for archiving purposes, for example; and even where you have requested we no longer keep in touch with you, we will need to keep a record of the fact in order to fulfil your wishes (called a “suppression record”).

### **What are your rights?**

- You have the right to withdraw consent you have given us to process your data. In some cases, where you originally gave us consent, and another lawful basis for processing the data occurred, such as a contract, the effect of withdrawing consent may be limited.
- You have the right to access rectify, or in some situations, delete your personal data.
- You can restrict the processing of your data if you contest its accuracy, or the basis for processing.
- In certain circumstances, you have the right to have your personal data transferred to another company.
- You can complain to the ICO if you feel your data has been unlawfully processed.
- You can ask us not to use your personal data for direct marketing. To do so, please use the unsubscribe link in marketing emails.

### **Additional information about rights**

- The right of access is only to your own personal data, and some data is exempt from that right of access. This can include information about children, and includes information which could identify others, or information which is subject to legal privilege (for example legal advice given to or sought by us, or documents prepared in connection with a legal action).



- Parents may also have additional legitimate interests to information about their children over and above subject access requests, and without the consent of the child. Where parents are separated, we may have to take individual circumstances into account.
- Notwithstanding who is responsible for or caring for an individual, when asking for and getting personal information, the data belongs to the individual to whom it relates. However we will rely on parental authority in most situations and cases, where the child is under 18.
- Similarly, we will assume that the child's consent is not required for disclosure of their data to and from parents, unless there are specific reasons for confidentiality, one of which would be where a child requests it.

### **Our cookie policy**

We use cookies on our web sites to improve your experience online. Please refer to our cookie policy.

### **How you can access your data**

For any queries about your data, please use our contact form.