

## **Background**

John Davies understands that your privacy is important to you and that you care about how your personal data is used. John Davies respects and values the privacy of all of clients and will only collect and use personal data in ways that are described here, and in a way that is consistent with his obligations and your rights under the law.

### **1. Information About Me**

Contact John Davies at :

81 School Lane, Kenilworth, Warwickshire CV8 2GT United Kingdom

T : 01926 511341 M: 7817 930115

E: [jd.wellnes@dsl.pipex.com](mailto:jd.wellnes@dsl.pipex.com)

### **2. What Does This Notice Cover?**

This Privacy Information explains how I use your personal data: how it is collected, how it is held, and how it is processed. It also explains your rights under the law relating to your personal data.

### **3. What is Personal Data?**

Personal data is defined by the General Data Protection Regulation (EU Regulation 2016/679) (the "GDPR") as 'any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier'.

Personal data is, in simpler terms, any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

The personal data that I use is set out in Part 5, below.

### **4. What Are My Rights?**

Under the GDPR, you have the following rights, which I will work to uphold:

1. The right to be informed about my collection and use of your personal data. This Privacy Notice should tell you everything you need to know, but you can always contact me to find out more or to ask any questions using the details in Part 11.
2. The right to access the personal data I hold about you. Part 10 will tell you how to do this.
3. The right to have your personal data rectified if any of your personal data held by me is inaccurate or incomplete. Please contact me using the details in Part 11 to find out more.
4. The right to be forgotten, i.e. the right to ask me to delete or otherwise dispose of any of your personal data that I have. Please contact me using the details in Part 11 to find out more.
5. The right to restrict (i.e. prevent) the processing of your personal data.
6. The right to object to me using your personal data for a particular purpose or purposes.
7. The right to data portability. This means that you can ask me for a copy of your personal data held by me to re-use with another service or business.
8. Rights relating to automated decision-making and profiling (I do not use your personal data in this way).

For more information about my use of your personal data or exercising your rights as outlined above, please contact me using the details provided in Part 11.

Further information about your rights can also be obtained from the Information Commissioner's Office or your local Citizens Advice Bureau.

If you have any cause for complaint about my use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office.

## 5. What Personal Data Do You Collect?

I may collect some or all of the following personal data (this may vary according to your relationship with me):

Name	Carrying out contract of sale
Date registered with me	Reporting on sales information
Gender	Display of correct imagery in scan results
Date of Birth	Research data
Delivery Address	Carrying out contract of sale
Billing Address	Carrying out contract of sale
Email address	Carrying out contract of sale
Wellness Rating	Research data
NES Scan Data	Carrying out contract of sale
Other relevant health information	Carrying out contract of sale
Testimonials	Research data
Payment Information	Carrying out contract of sale
Research Questionnaire Results	Research data

## 6. How Do You Use My Personal Data?

Under the GDPR, I must always have a lawful basis for using personal data. This may be because the data is necessary for my performance of a contract with you, because you have consented to my use of your personal data, or because it is in my legitimate business interests to use it. Your personal data may be used for one of the following purposes:

- Providing and managing your account.
- Supplying products and services to you. Your personal details are required in order for me to enter into a contract with you.
- Personalising and tailoring products and services.
- Communicating with you. This may include responding to emails or calls from you.
- Supplying you with information by email and post that you have opted-in to (you may unsubscribe or opt-out at any time by clicking the link at the bottom of any marketing emails I may send).
- With your permission and/or where permitted by law, I may also use your personal data for marketing purposes, which may include contacting you by email or telephone or text message or post with information, news, and offers on products and services. You will not be sent any unlawful marketing or spam.
- I will always work to fully protect your rights and comply with my obligations under the GDPR and the Privacy and Electronic Communications (EC Directive) Regulations 2003, and you will always have the opportunity to opt-out.

## 7. How Long Will You Keep My Personal Data?

I will not keep your personal data for any longer than is necessary in the light of the reason(s) for which it was first collected. Your personal data will therefore be kept for the following

periods (or, where there is no fixed period, the following factors will be used to determine how long it is kept):

- a. All data regarding your transactions with me has to be kept for ten years
- b. All NES scan and miHealth information has to be kept for ten years
- c. Any other information will be kept for five years after your last login to the NESPortal

### **8. How and Where Do You Store or Transfer My Personal Data?**

I will only store your personal data in countries that comply with GDPR policies.

The security of your personal data is essential to me, and to protect your data, I take a number of important measures, including the following:

1. All electronic data is stored on devices which have strict security policies and adhere to GDPR
2. Any paper-based version of your data will be shredded unless the law requires it to be retained. Where required by law, your data will be held in a secure storage facility

### **9. Do You Share My Personal Data?**

I will not share any of your personal data with any third parties for any purposes, other than the following important exceptions :

1. I may contact NES Health Ltd, or other experienced health practitioners with specialist knowledge, where I need to gain additional understanding about your situation in order to provide you with the services and products required by you.
2. In some limited circumstances, I may be legally required to share certain personal data, which might include yours, if I am involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.
3. I may sometimes contract with the following third parties to supply products and services to you. These may include payment processing, delivery, and marketing. In some cases, those third parties may require access to some or all of your personal data that I hold. These parties include:
  - NES Health Ltd - package delivery
  - Royal Mail - package delivery
  - DPD - package delivery
  - UPS - package delivery
  - TNT - package delivery
  - Parcel Force - package delivery
  - Pitney Bowes - package delivery
  - MailChimp - customer communication
  - Stripe - payment processing

If any of your personal data is required by a third party, as described above, I will take steps to ensure that your personal data is handled safely, securely, and in accordance with your rights, my obligations, and the third party's obligations under the law.

Should a contract with a third party or parties (as described above) located outside of the European Economic Area (the "EEA" consists of all EU member states, plus Norway, Iceland, and Liechtenstein) that requires your personal data to be transferred to that third party outside of the EEA, I will take suitable steps in order to ensure that your personal data is treated just as safely and securely as it would be within the UK and under the GDPR, as explained above in Part 8.

## **10. How Can I Access My Personal Data?**

If you want to know what personal data I have about you, you can ask me for details of that personal data and for a copy of it (where any such personal data is held). This is known as a "Subject Access Request" (SAR).

All SARs should be made in writing and sent to the email or postal addresses shown in Part 11. To make this as easy as possible for you, a Subject Access Request Form is available for you to use. You do not have to use this form, but it is the easiest way to tell me everything I need to know to respond to your request as quickly as possible.

There is not normally any charge for a SAR. If your request is 'manifestly unfounded or excessive' (for example, if you make repetitive requests) a fee may be charged to cover administrative costs in responding.

I will respond to your SAR within 28 days of receiving it.

I aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date I receive your request. You will be kept fully informed of progress.

## **11. How Do I Contact You?**

To contact about anything to do with your personal data and data protection, including to make a Subject Access Request, please use the following details:

A: John Davies, 81 School Lane, Kenilworth, Warwickshire CV8 2GT

E: [jd.wellnes@dsl.pipex.com](mailto:jd.wellnes@dsl.pipex.com)

T: 01926 511341 M: 07817 930115

## **12. Changes to this Privacy Notice**

I may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if I change my business in a way that affects personal data protection.

Any changes will be made available at [www.jd-wellnes.com](http://www.jd-wellnes.com)