

MINDWORK THERAPY LTD

MINDWORK.ME PRIVACY POLICY

Introduction

We are MindWork Therapy Ltd, a limited company registered in England and Wales under company registration number 13731581 and our registered office is at Cliff Farmhouse, The Cliff, Ingham, Lincoln LN1 2YQ (referred to as **MindWork**, **we**, **us** or **our**).

We respect your privacy and are committed to protecting your personal data. This privacy policy, will inform you as to how we look after your personal data when you use the MindWork website, services, therapy and content (**MindWork.me**) and tell you about your privacy rights and how the law protects you.

This privacy policy further explains when and why we collect personal information about MindWork.me users, MindWork clients, people who contact or interact with us, and those MindWork therapists acting as third-party consultants or contractors, how we use that personal information, the conditions under which we may disclose it to others and how we keep it secure.

This privacy policy (together with our end-user licence agreement [\[LINK TO TERMS OF USE\]](#) (**EULA**)) applies to your use of MindWork.me.

You may wish to download a pdf version of the policy here: [\[LINK\]](#). Please also use the Glossary [\[LINK\]](#) to understand the meaning of some of the terms used in this privacy policy.

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1. WHO ARE MINDWORK AND OTHER IMPORTANT INFORMATION

What is this privacy policy for?

This privacy policy aims to give you information on how we collect and process your personal data when using MindWork.me.

MindWork.me is not intended for use by children below the age of 18 years old and we do not knowingly collect data relating to children.

Please ensure that you read this privacy policy together with any other privacy policy or relevant policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy is intended to supplement other notices and privacy policies not to override them.

Our role

We are the controller and are responsible for your personal data. By this we mean that we determine the purposes for which and the manner in which your personal data is, or is to be, processed.

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, our privacy practices or want to submit a request to exercise *your legal rights*, please contact the data privacy manager using the details set out below.

Contact details

Name of data privacy manager: The Managing Director

Email address: privacy@mindwork.me

Postal address: Cliff Farmhouse, The Cliff, Ingham, Lincoln LN1 2YQ

You have the right to make a complaint at any time to the Information Commissioner's Office (**ICO**), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO, so please contact us in the first instance.

Data protection law requires MindWork, as controller for your data:

- to process your data in a lawful, fair and transparent way;
- to only collect your data for explicit and legitimate purposes;
- to only collect data that is relevant, and limited to the purpose(s) we have told you about;
- to ensure that your data is accurate and up to date;
- to ensure that your data is only kept as long as necessary for the purpose(s) we have told you about; and
- to ensure that appropriate security measures are used to protect your data.

Changes to the privacy policy and your duty to inform us of changes

We keep our privacy policy under regular review. This version was last updated on 4th February 2022 and any historic versions can be obtained by contacting us.

It is important that the personal data we hold about you is accurate and current. We may ask you to confirm updates to your personal data from time to time but please keep us informed if your personal data changes during your relationship with us in the meantime.

Third-party links

MindWork.me may, from time to time, include links to third-party websites, plug-ins and applications (including Facebook, Twitter, Instagram and LinkedIn). Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. **When you leave MindWork.me, we encourage you to read the privacy policy of every website or application you visit.**

2. WHAT DO WE COLLECT FROM YOU?

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

Category of Data	Information Collected
Identity Data	includes first name, last name, username or similar identifier, employer and age.
Contact Data	includes email address and telephone number.
Technical Data	includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use.
Service Data	includes information about your use of MindWork, including the number of sessions you have attended.
Health and Wellbeing Data	includes information that you provide to us in relation to your health and/or wellbeing (e.g. whether you have had therapy before, what brought you to MindWork and what you hope to achieve from therapy and anything else you think our therapists will find important).
Profile Data	includes your username and password, preferences and feedback.
Usage Data	includes details of your use of MindWork.me including, but not limited to, traffic data and other communication data and the resources that you access.
Marketing and Communications Data	includes your preferences in receiving marketing and surveys from us and your communication preferences (including notification preferences).

We refer to the above categories of data below in Why we will use your personal data.

If you supply any other person's personal data to us, you must do so only if you have that person's consent and you must comply with any obligations imposed upon you under data protection laws.

We may also collect, use and share **Aggregated Data** from time to time such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific MindWork.me feature. However, we will never combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you.

We may, from time to time, as part of our services (e.g. where you book in for a MindFit therapy session with us), process information relating to your health and wellbeing (see examples above under the category 'Health and Wellbeing Data'). This type of personal data is classified as a **Special Category of Personal Data**. Where we process such personal data, we will ensure that we are permitted to do so under data protection laws.

Except as set out above in relation to Health and Wellbeing Data, we do not collect any special categories of personal data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions or trade union membership). Nor do we collect any information about criminal convictions and offences.

What happens if you do not provide personal data?

By law we may be required to collect personal data, or under the terms of a contract we have with you, and if you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with access to MindWork.me or to allow you to undertake a therapy session). In this case, we may have to cancel your registration to MindWork.me but we will notify you if this is the case at the time.

3. HOW MINDWORK COLLECTS YOUR PERSONAL DATA

We will collect and process the following data about you:

- **Information you give us.** This is information (including Identity, Contact, Health and Wellbeing, Service, Profile and Marketing and Communications Data) you consent to giving us about you by inputting information on MindWork.me, or by corresponding with us (for example, by email or via surveys). It includes information you provide when you register to use MindWork.me, search MindWork.me and when you report a problem with MindWork.me. Some of this information may be provided on your behalf by your employer when they sign you up to allow access to MindWork.me. If you contact us, we will keep a record of that correspondence.
- **Information we collect about you and your device.** Each time you use MindWork.me we will automatically collect personal data including Technical, Service and Usage Data from you. We collect this data using cookies and other similar technologies. Please see the section below on Cookies for further details.
- **Cookies** - A cookie is a small data file that is stored on your computer following your visit to a certain website. Like most websites, MindWork use cookies on MindWork.me to record information about your activities on MindWork.me and to 'remember' you when you return to them to enable us to provide you with a better service. Some cookies will remain on your computer until you delete them, while others, like session ID cookies only last whilst your browser is open. Your browser may automatically accept cookies but you can change this in your

settings to reject cookies and you will still be able to use MindWork.me, but your ability to use certain aspects of MindWork.me may be limited. We use cookies for several reasons, including but not limited to analyse usage patterns and analytics of MindWork.me via Google Analytics and via our third-party platform provider to enhance usage.

- **Information we receive from other sources including third parties.** We will receive Technical, and Usage Data from analytics providers such as Google Inc., based outside of the United Kingdom.

4. HOW WE USE YOUR PERSONAL DATA

Generally, we will use your personal data in the following circumstances:

- Where we need to **provide services to you** or, where applicable, the business which you represent;
- Where it is necessary for our **legitimate interests** (or those of a third party) so long as your interests and fundamental rights do not override those interests; and/or
- Where we are **required to by law**.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your explicit consent before: (i) processing any Health and Wellbeing Data (see section 2 above) save where we may carry out such processing as permitted by law; (ii) sending third party direct marketing communications to you via email or text message or (iii) sending you anonymised surveys. You have the right to withdraw consent to marketing or surveys at any time by contacting us.

We may also use your personal information, typically in an emergency, where this is necessary to protect your vital interests, or someone else's vital interests.

Click here [\[Glossary, Lawful Basis\] \[LINK\]](#) to find out more about the types of lawful basis that we will rely on to process your personal data.

Why we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please *contact us* [\[Link to Contact Details - Section](#)

17. if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/activity	Type of Data	Lawful basis for processing
To sign you up to MindWork.me	(a) Identity (b) Contact (c) Health and Wellbeing (d) Technical	(a) Your consent (b) Performance of a contract with you or your employer
To enable us to carry out a MindFit therapy session which you have booked with us	(a) Identity (b) Contact (c) Health and Wellbeing	(a) Your consent (b) Performance of a contract with you or your employer
To enable full functionality of MindWork.me e.g. allowing you to participate in therapy sessions	(a) Identity (b) Contact (c) Profile (d) Service (e) Technical (f) Usage (g) Marketing and Communications	(a) Performance of a contract with you or your employer
To manage our relationship with you including notifying you of changes to MindWork.me	(a) Identity (b) Contact (c) Profile (d) Service (e) Marketing and Communications	(a) Performance of a contract with you or your employer (b) Necessary for our legitimate interests (to keep records updated and to analyse how clients use MindWork.me) (c) Necessary to comply with legal obligations (to inform you of any changes to our terms and conditions or privacy policy)
Where you are one of our MindWork therapists, to manage our relationship with you which will include providing you with instructions on sessions you are required to deliver.	(a) Identity (b) Contact	(a) Performance of a contract with you (b) Your consent

Where you are one of our MindWork therapists, to manage the relationship between you and your MindFit clients which will include providing the clients with details of their therapist.	(a) Identity (b) Contact	(a) Performance of a contract with you (b) Your consent (c) Necessary for our legitimate interests (to facilitate MindFit therapy sessions).
To administer and protect our business and MindWork.me including troubleshooting, data analysis and system testing	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security)
(a) To deliver content and advertisements to you; (b) To measure and analyse the effectiveness of the advertising we serve you; (c) To monitor trends so we can improve MindWork.me (d) To send you surveys so we can improve MindWork.me	(a) Identity (b) Contact (c) Technical (d) Service (e) Profile (f) Usage (g) Marketing and Communications	(a) Necessary for our legitimate interests (to develop MindWork.me and grow our business)

Marketing

We aim to provide you with choices regarding certain personal data uses, particularly around marketing, surveys and advertising. We will never share your personal data with any third party for marketing purposes other than sub-processors for our own marketing purposes.

Promotional offers from us

We may use your Identity, Contact, Technical, Service, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you.

You will receive marketing communications from us if you have signed up for an account with us and you did not opt out of receiving marketing communications from us when you signed up, and have not opted out of receiving marketing from us since.

Opting out

You can ask us to stop sending you marketing or survey messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of your use of MindWork.me.

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please *contact us* [[Link to Contact Details - Section 1](#)].

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. DISCLOSURES OF YOUR PERSONAL DATA

We may share your personal data with third parties we use to help deliver MindWork and/or services to you. For example, where you have booked a therapy session with us, we will share your Identity, Contact, Service, Health and Wellbeing Data with our MindWork therapists, who may be an independent third party appointed by us to deliver such sessions. If you are a MindWork therapist, we will share your Contact Data with our MindWork client with whom you have been assigned.

We may also share your personal data with the parties set out below for the purposes set out in the table in section 4 above. If any of these organisations are based, or have group or affiliated companies that are based, outside of the United Kingdom, then section 6 below sets out the basis on which your personal data is transferred to them.

If you require further information on how our third parties (set out in the table below) are processing your personal data, we recommend that you consult their privacy policies or contact them directly.

Third Party service-providers	Service	Third Party Links
Professional advisers	Our professional advisers act as processors or joint controllers. This includes lawyers, bankers, auditors and insurers based within the EU who provide consultancy,	

	banking, legal, insurance and accounting services.	
Google Inc.	Google is a company incorporated and registered in the USA. We use analytic services provided by Google in the management of MindWork.me.	You can access Google's terms and conditions and privacy policy on its website.
Red Guava Pty. Ltd	Platform provider, they provide the Cliniko platform through which MindWork provide our services.	https://www.cliniko.com/policies/
Mailchimp	Marketing, automation and email marketing platform who we use to send out our marketing emails.	https://mailchimp.com/legal/

We may also share your personal data with other third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. WHEN MINDWORK TRANSFERS DATA INTERNATIONALLY

Some of the third parties identified in section 5 above are based outside the United Kingdom (**UK**), or have group or affiliated companies based outside of the UK, so their processing of your personal data may involve a transfer of data outside the UK.

Whenever we transfer your personal data out of the UK, we are required by law to ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data.

- Where we use certain service providers, we may use specific contracts approved by the UK which give personal data the same protection it has in the UK.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the UK.

7. MINDWORK SECURITY MEASURES

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

Where we have given you (or where you have chosen) a password that enables you to access certain parts of MindWork.me, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator when we are legally required to do so.

8. DATA MINDWORK RETAINS

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

In some circumstances you can also ask us to delete your data see *[your legal rights]* [\[LINK\]](#) below for further information.

In the event that you do not use MindWork.me for a period of six years then we may treat the account as expired and your personal data may be deleted.

9. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please email us to find out more about any of these rights below:

- *Request access to your personal data.*
- *Request correction of your personal data.*
- *Request erasure of your personal data.*
- *Object to processing of your personal data.*
- *Request restriction of processing your personal data.*
- *Request transfer of your personal data.*
- *Right to withdraw consent.*
- *Right to object to automatic profiling and monitoring*

You also have the right to ask us not to continue to process your personal data for marketing purposes.

You can exercise any of these rights at any time by contacting us at privacy@mindwork.me .

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security

measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

GLOSSARY

LAWFUL BASES

Consent means processing your personal data where you have signified your agreement by a statement or clear opt-in to processing for a specific purpose. Consent will only be valid if it is a freely given, specific, informed and unambiguous indication of what you want. You can withdraw your consent at any time by contacting us.

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by *contacting us*.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal obligation means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

YOUR LEGAL RIGHTS

You have the right to:

Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always

be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide you with access to MindWork.me. We will advise you if this is the case at the time you withdraw your consent.