

Privacy Policy

Cognacity Wellbeing LLP and Cognacity Limited 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 and tell you about your privacy rights and how the law protects you.

Please also use the Glossary at the end of this privacy policy to understand the meaning of some of the terms used in this privacy policy.

1 IMPORTANT INFORMATION AND WHO WE ARE

1.1 Purpose of this privacy policy

1.1.1 This privacy policy aims to give you information on how we collect and process your personal data when you engage us to provide you with services, via your use of our website, www.cognacity.co.uk, or otherwise.

1.1.2 It is important that you read this privacy policy together with any other privacy policy or fair processing notice 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 supplements the other notices and is not intended to override them.

1.2 Controller

1.2.1 If you are engaging us for the provision of clinical services i.e. for the treatment of any mental health issues by our team of psychiatrists and/or psychologists/psychotherapists, Cognacity Wellbeing LLP, a partnership registered in England and Wales under registration number OC340118, is the controller and is responsible for your personal data. If you are engaging us for the provision of coaching services, Cognacity Limited, a private limited company incorporated in England and Wales under company number 07431120 is the controller and is responsible for your personal data. Both organisations have their registered office at 54 Harley Street, London W1G 9PZ, (collectively referred to as "we", "us" and "our" in this privacy policy).

1.2.2 If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact us by emailing us at enquiries@cognacity.co.uk.

1.2.3 You have the right to make a complaint at any time to the Information Commissioner's Office, 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 a.hopley@cognacity.co.uk in the first instance.

1.3 Your duty to inform us of changes

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

1.4 Third-party links

Our website may include links to third-party websites, plug-ins and applications. 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 our website, we encourage you to read the privacy policy of every website you visit.

2 THE DATA WE COLLECT ABOUT YOU

2.1 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).

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

2.2.1 **Identity Data** includes your first name, maiden name, last name, marital status, title, date of birth and gender.

2.2.2 **Contact Data** includes your home and/or work address, your personal and/or work email addresses and telephone numbers.

2.2.3 **Financial Data** includes your bank account details and payment card details.

2.2.4 **Transaction Data** includes details about payments to and from you and other details of services you have purchased from us.

2.2.5 **Technical Data** includes your internet protocol (IP) address, 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 to access our website.

2.2.6 **Profile Data** includes your interests, preferences, feedback and survey responses.

2.2.7 **Usage Data** includes information about how you use our website and services.

2.2.8 **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

2.2.9 **Health Data** includes any information relating to your health that you, or a third party on your behalf, provides to us.

2.3 We may also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific feature on our website. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

2.4 Where we need to collect personal data by law, or under the terms of a contract we have with you and 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 our services). In that case, we may have to cancel the provision of services to you but we will notify you if that is the case at the time.

3 HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

3.1 **Direct interactions.** You may give us your Identity Data, Contact Data, Financial Data, Profile Data, Marketing and Communications Data and Health Data by corresponding with us by post, phone, email, filling in forms on our website, accessing online portals which

we provide for you from time to time or otherwise. This includes personal data you provide when you:

3.1.1 instruct us to provide you with any of the services we offer;

3.1.2 provide us with information in order to allow us to provide you with our services or otherwise fulfil our obligations pursuant to any contract we have with you;

3.1.3 subscribe to any publications or information on our website;

3.1.4 request marketing to be sent to you;

3.1.5 respond to any survey we provide to you; or

3.1.6 give us any feedback.

3.2 Automated technologies or interactions. If you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies. We also receive Technical Data about you if you visit other websites employing our cookies. Please see our [cookies policy](#) for further details.

3.3 Third parties or publicly available sources. We may receive personal data about you from third parties and public sources such as analytics providers such as Google.

4 HOW WE USE YOUR PERSONAL DATA

4.1 When we will use your personal data

4.1.1 We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

4.1.2 Where you have explicitly consented to our use of your personal data. You have the right to withdraw such consent at any time by contacting us via the means set out in paragraph 1.2.2 above.

4.1.3 Where we need to perform the contract we are about to enter into or have entered into with you.

4.1.4 Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

4.1.5 Where we need to comply with a legal or regulatory obligation.

4.2 Purposes for which we will use your personal data

4.2.1 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.

4.2.2 Health Data requires an additional special condition to be satisfied if we are to process it lawfully. We have set out in the table below the special condition that we will satisfy in relation to the use of your Health Data.

4.2.3 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 via the means set out in paragraph 1.2.2 above 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 including basis of legitimate interest	Special condition for processing of Health Data
To register you as a new client	(a) Identity Data (b) Contact Data (c) Financial Data (c) Health Data	(a) Performance of a contract with you (b) You have provided your explicit consent	You have provided your explicit consent.
To provide you with cognitive behavioural and/or executive coaching services in accordance with the terms of any contract we have entered into with you, including managing payments, fees and charges and collecting and recovering money owed to us	(a) Identity Data (b) Contact Data (c) Financial Data (d) Transaction Data (e) Health Data	(a) Performance of a contract with you (b) You have provided your explicit consent (c) Necessary for our legitimate interests (in to provide you with our services and seek payment for such services) (d) Necessary to comply with a legal obligation	You have provided your explicit consent. Protect your vital interests
To manage our relationship with you including: (a) notifying you about proposed changes to this privacy policy; and (b) asking you to leave a review of our services or take a survey	(a) Identity Data (b) Contact Data (c) Marketing and Communications Data (d) Profile Data	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated, to ascertain how our clients use our services and to develop our services and grow our business)	N/A
To administer and protect our business and our website (including troubleshooting, data	(a) Identity Data (b) Contact Data	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT	N/A

analysis, testing, system maintenance, support, reporting and hosting of data)	(c) Technical Data (d) Usage Data	services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation	
To make suggestions and recommendations to you about goods or services that may be of interest to you (including those of third parties) e.g. referring you to a medical professional	(a) Identity Data (b) Contact Data (c) Technical Data (d) Usage Data (e) Profile Data (f) Financial Data (g) Marketing and Communications Data (h) Health Data	(a) Necessary for our legitimate interests (to develop our services and grow our business) (b) You have provided your explicit consent	You have provided your explicit consent
To supplement our workshop delivery by the use of on-line psychometric questionnaires the data from which will be collated & analysed for the purposes of group-feedback	(a) Profile Data (b) Health Data	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to keep our records updated, to ascertain how our clients use our services and to develop our services and grow our business)	You have provided your explicit consent.

4.3 Marketing

4.3.1 We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

4.3.2 We may use your Identity Data, Contact Data, Technical Data, Usage Data, Profile Data, Financial Data and Health Data to form a view on products or services that 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 (we call this marketing).

4.3.3 You will receive marketing communications from us if you have requested information from us or engaged us to provide you with services and, in each case, you have not opted out of receiving that marketing.

4.4 Third-party marketing

We will get your express opt-in consent before we share your personal data with any other company for marketing purposes.

4.5 Opting-out

You can ask us, or third parties, to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us via the means set out in paragraph 1.2.2 above.

4.6 Cookies

When you are visiting our website, you can set your browser to refuse all or some browser cookies, or to alert you when our website sets or accesses cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies we use, please see our [cookies policy](#).

4.7 Change of purpose

4.7.1 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 via the means set out in paragraph 1.2.2 above.

4.7.2 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.

4.7.3 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

5.1 We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4.2.3 above.

5.1.1 Internal Third Parties as set out in the glossary to this privacy policy.

5.1.2 External Third Parties as set out in the glossary to this privacy policy.

5.1.3 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.

5.2 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 INTERNATIONAL TRANSFERS

6.1 When we share your personal data with Internal Third Parties or External Third Parties it may involve transferring your data outside the European Economic Area ("EEA").

6.2 Whenever we transfer your personal data outside the EEA, we may ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

6.2.1 Your personal data will be transferred to a country that has been deemed to provide an adequate level of protection for personal data by the European Commission.

6.2.2 Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe.

6.2.3 Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US.

6.3 In the absence of the implementation of any of the foregoing safeguards, your personal data shall be transferred outside the EEA on the basis of your explicit consent.

7. DATA SECURITY

7.1 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. We use two-factor authentication log-ons to all Microsoft/Windows accounts and all laptops are encrypted. Where we use third-party software, we ensure that the third-party is fully GDPR compliant and complies with the requirements of the Cyber Essentials Scheme. In addition, we limit access to your personal data to those employees, agents, contractors and other third 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.

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

8 DATA RETENTION

8.1 How long will you use my personal data for?

8.1.1 We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

8.1.2 To determine the appropriate retention period for your 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 requirements.

8.1.3 Details of retention periods for different aspects of your personal data can be obtained by contacting us via the means set out in paragraph 1.2.2 above.

8.1.4 In some circumstances you can ask us to delete your data: see **Request erasure** in paragraph 9.1.3 below for further information.

8.1.5 In some circumstances we may 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.

9. YOUR LEGAL RIGHTS

9.1 Under certain circumstances, if you are an individual, you have rights under data protection laws in relation to your personal data as set out below:

9.1.1 **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.

9.1.2 **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.

9.1.3 **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.

9.1.4 **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.

9.1.5 **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: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) 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; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

9.1.6 **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.

9.1.7 **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 certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

9.2 If you wish to exercise any of the rights set out above, please contact us via the means set out in paragraph 1.2.2 above.

9.3 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 may refuse to comply with your request in these circumstances.

9.4 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 may 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.

10. GLOSSARY

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

10.2 Internal Third Parties means our employees, contractors, agents or officers engaged in the provision of our services to you.

10.3 External Third Parties means:

10.3.1 Service providers acting as data processors who provide us with payment processing, IT and system administration services.

10.3.2 Professional advisers including bankers, solicitors, auditors and insurers who provide us with banking, legal, insurance and accounting services.

10.3.3 HM Revenue & Customs and other authorities or regulated bodies who require reporting of processing activities in certain circumstances.

10.3.4 Medical professionals in circumstances where we refer you for medical treatment.

10.4 Legitimate interest means the interest of our business in conducting and managing our business to enable us to give you the best service 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 via the means set out in paragraph 1.2.2 above.

10.5 Performance of a 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.

10.6 Protect your vital interests means processing your data where it is necessary to protect an interest which is essential to protect your life or that of another natural person e.g. in a medical emergency.