



Privacy Policy

1. Introduction

- 1.1 In this policy, "I", "me" and "my" refer to Zoë Smith – Health & Wellbeing Coach. For more information about me, see Section 13.
- 1.2 I am committed to safeguarding the privacy of my clients and website visitors.
- 1.3 This policy applies where I am acting as a data controller with respect to the personal data of my clients and website visitors; in other words, where I determine the purposes and means of the processing of that personal data.
- 1.4 I use cookies on my website. Insofar as those cookies are not strictly necessary for the provision of my website and services, I will ask you to consent to the use of cookies when you first visit my website.
- 1.5 I do not collect personal data without your consent via an opt in form on the website. You can therefore specify whether you would like to receive direct marketing communications and limit the publication of your information.

2. Credit

- 2.1 This document was created using a template from SEQ Legal (<https://seqlegal.com>).

3. How I use your personal data

- 3.1 In this Section I have set out:
 - (a) the general categories of personal data that I may process;
 - (b) the purposes for which I may process personal data; and
 - (c) the legal bases of the processing.
- 3.2 I may process data about your use of my website and services ("**usage data**"). The usage data may include your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your service use. The source of the usage data is my analytics tracking system, supplied by Wordpress.com. This usage data may be processed for the purposes of analysing the use of the website and services. The legal basis for this processing is consent.
- 3.3 I may process your account data ("**account data**"). The account data may include your name and email address. The source of the account data is you. The account data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this processing is consent.
- 3.4 I may process your information included in your personal profile on our website ("**profile data**"). The profile data may include your name, address, telephone number, email address. The profile data may be processed for the purposes of enabling and monitoring your use of our website and services. The legal basis for this processing is consent.

- 3.5 I may process your personal data that is provided in the course of the use of our services ("**service data**"). The service data may include both personal and sensitive data such as your name, address, telephone number, email address, gender, height, weight and other lifestyle and health information. The source of the service data is you. The service data may be processed for the purposes of providing my services, ensuring the security of my website and services, maintaining back-ups of my databases and communicating with you. The legal basis for this processing is legitimate interests, namely the appropriate delivery of my services to meet your needs, at your request, to enter into such an agreement.
- 3.6 I may process information that you post for publication on my website or through my services ("**publication data**"). The publication data may be processed for the purposes of enabling such publication and administering my website and services. The legal basis for this processing is consent.
- 3.7 I may process information contained in any enquiry you submit to me regarding goods and/or services ("**enquiry data**"). The enquiry data may be processed for the purposes of offering, marketing and selling relevant goods and/or services to you. The legal basis for this processing is consent.
- 3.8 I may process information relating to my customer relationships, including customer contact information ("**customer relationship data**"). The customer relationship data may include your name, your contact details, and information contained in communications between us. The source of the customer relationship data is you. The customer relationship data may be processed for the purposes of managing my relationships with customers, communicating with customers, keeping records of those communications and promoting my products and services to customers. The legal basis for this processing is consent.
- 3.9 I may process information relating to transactions, including purchases of goods and services, that you enter into with me and/or through my website ("**transaction data**"). The transaction data may include your contact details, your card details and the transaction details. The transaction data may be processed for the purpose of supplying the purchased goods and services and keeping proper records of those transactions. The legal basis for this processing is the performance of a contract between you and me and/or taking steps, at your request, to enter into such a contract and our legitimate interests, namely the proper administration of our website and business.
- 3.10 I may process information that you provide to me for the purpose of subscribing to our email notifications and/or newsletters ("**notification data**"). The notification data may be processed for the purposes of sending you the relevant notifications and/or newsletters. The legal basis for this processing is consent.
- 3.11 I may process information contained in or relating to any communication that you send to us ("**correspondence data**"). The correspondence data may include the communication content and metadata associated with the communication. My website will generate the metadata associated with communications made using the website contact forms. The correspondence data may be processed for the purposes of communicating with you and record-keeping. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and business and communications with users.
- 3.12 I may process any of your personal data identified in this policy where necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, your legal rights and the legal rights of others.

- 3.13 I may process any of your personal data identified in this policy where necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, or obtaining professional advice. The legal basis for this processing is our legitimate interests, namely the proper protection of our business against risks.
- 3.14 In addition to the specific purposes for which we may process your personal data set out in this Section 3, we may also process any of your personal data where such processing is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.
- 3.15 Please do not supply any other person's personal data to us, unless we prompt you to do so.

4. Providing your personal data to others

- 4.1 I may disclose your personal data to my insurers and/or professional advisers insofar as reasonably necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, obtaining professional advice, or the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.
- 4.2 Financial transactions relating to my website and services may be handled by my payment services provider, *First Data*. I will share transaction data with my payment services provider only to the extent necessary for the purposes of processing your payments, refunding such payments and dealing with complaints and queries relating to such payments and refunds. You can find information about the payment services providers' privacy policies and practices at <https://www.firstdata.com>
- 4.3 In addition to the specific disclosures of personal data set out in this Section 4, I may disclose your personal data where such disclosure is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person. I may also disclose your personal data where such disclosure is necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

5. International transfers of your personal data

- 5.1 In this Section 5, I provide information about the circumstances in which your personal data may be transferred to countries outside the European Economic Area (EEA).
- 5.2 The hosting facilities for my website are situated in *Canada*. The European Commission has made an "adequacy decision" with respect to the data protection laws of each of these countries. Transfers to each of these countries will be protected by appropriate safeguards, namely the use of standard data protection clauses adopted or approved by the European Commission, a copy of which you can obtain from the ICO website: www.ico.org.uk
- 5.3 You acknowledge that personal data that you submit for publication through my website or services may be available, via the internet, around the world. I cannot prevent the use (or misuse) of such personal data by others.

6. Retaining and deleting personal data

- 6.1 This Section 6 sets out my data retention policies and procedure, which are designed to help ensure that I comply with my legal obligations in relation to the retention and deletion of personal data.
- 6.2 Personal data that I process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

6.3 I will retain your personal data as follows:

- (a) all personal data, including special data such as health conditions, used for service provision as requested by you will be retained for a maximum period of 7 years following the end date of service delivery.
- (b) personal data submitted to my website on sign up to receive my blog or newsletters, and direct marketing will be retained until you opt out of continuing to receive such communications from me.
- (c) personal data submitted to me when sourcing a quote for services will be kept on file for a period of 6 months, and if services are not taken it will then be destroyed.

6.4 Notwithstanding the other provisions of this Section 6, I may retain your personal data where such retention is necessary for compliance with a legal obligation to which I am a subject, or in order to protect your vital interests or the vital interests of another natural person.

7. Amendments

7.1 I may update this policy from time to time by publishing a new version on my website.

7.2 You should check this page occasionally to ensure you are happy with any changes to this policy.

7.3 I may notify you of changes to this policy by email.

8. Your rights

8.1 In this Section 8, I have summarised the rights that you have under data protection law. Some of the rights are complex, and not all of the details have been included in my summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.

8.2 Your principal rights under data protection law are:

- (a) the right to access;
- (b) the right to rectification;
- (c) the right to erasure;
- (d) the right to restrict processing;
- (e) the right to object to processing;
- (f) the right to data portability;
- (g) the right to complain to a supervisory authority; and
- (h) the right to withdraw consent.

8.3 You have the right to confirmation as to whether or not I process your personal data and, where I do, access to the personal data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, I will supply to you a copy of your personal data. The first copy will be provided free of charge, but additional copies may be subject to a reasonable fee.

- 8.4 You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed.
- 8.5 In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include: the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; you withdraw consent to consent-based processing; you object to the processing under certain rules of applicable data protection law; the processing is for direct marketing purposes; and the personal data have been unlawfully processed. However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for the establishment, exercise or defence of legal claims.
- 8.6 In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are: you contest the accuracy of the personal data; processing is unlawful but you oppose erasure; I no longer need the personal data for the purposes of my processing, but you require personal data for the establishment, exercise or defence of legal claims; and you have objected to processing, pending the verification of that objection. Where processing has been restricted on this basis, I may continue to store your personal data. However, I will only otherwise process it: with your consent; for the establishment, exercise or defence of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.
- 8.7 You have the right to object to my processing of your personal data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for: the performance of a task carried out in the public interest or in the exercise of any official authority vested in me; or the purposes of the legitimate interests pursued by me or by a third party. If you make such an objection, I will cease to process the personal information unless I can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is for the establishment, exercise or defence of legal claims.
- 8.8 You have the right to object to my processing of your personal data for direct marketing purposes (including profiling for direct marketing purposes). If you make such an objection, I will cease to process your personal data for this purpose.
- 8.9 You have the right to object to my processing of your personal data for scientific or historical research purposes or statistical purposes on grounds relating to your particular situation, unless the processing is necessary for the performance of a task carried out for reasons of public interest.
- 8.10 To the extent that the legal basis for my processing of your personal data is:
- (a) consent; or
 - (b) that the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract,
- and such processing is carried out by automated means, you have the right to receive your personal data from me in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.
- 8.11 If you consider that my processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data

protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.

8.12 To the extent that the legal basis for my processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

8.13 You may exercise any of your rights in relation to your personal data by written notice to me, in addition to the other methods specified in this Section 8.

9. About cookies

9.1 A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server.

9.2 Cookies may be either "persistent" cookies or "session" cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.

9.3 Cookies do not typically contain any information that personally identifies a user, but personal information that I store about you may be linked to the information stored in and obtained from cookies.

10. Cookies that I use

10.1 I use cookies for the following purposes:

- (a) authentication - I use cookies to identify you when you visit my website and as you navigate my website;
- (b) status - I use cookies to help me to determine if you are logged into my website;
- (f) analysis - I use cookies to help me to analyse the use and performance of my website and services; and
- (g) cookie consent - I use cookies to store your preferences in relation to the use of cookies more generally.

11. Cookies used by my service providers

11.1 My service providers use cookies and those cookies may be stored on your computer when you visit my website.

11.2 I use Google Analytics to analyse the use of my website. Google Analytics gathers information about website use by means of cookies. The information gathered relating to my website is used to create reports about the use of my website. Google's privacy policy is available at: <https://www.google.com/policies/privacy/>.

12. Managing cookies

12.1 Most browsers allow you to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to version. You can however obtain up-to-date information about blocking and deleting cookies via these links:

- (a) <https://support.google.com/chrome/answer/95647?hl=en> (Chrome);

- (b) <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences> (Firefox);
- (c) <http://www.opera.com/help/tutorials/security/cookies/> (Opera);
- (d) <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies> (Internet Explorer);
- (e) <https://support.apple.com/kb/PH21411> (Safari); and
- (f) <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy> (Edge).

12.2 Blocking all cookies will have a negative impact upon the usability of many websites.

12.3 If you block cookies, you will not be able to use all the features on my website.

13. My details

13.1 www.zoesmith.fit is owned and operated by *Zoë Smith – Health & Wellbeing Coach*

13.2 I am a sole trader in England, and my address is: 9 Springfield Avenue, Earby, Lancashire, BB18 6SA.

13.4 You can contact me:

- (a) by post, to the postal address given above;
- (b) using my website contact form;
- (c) by telephone, on the contact number published on my website; or
- (d) by email, using the email address published on my website.

14. Data protection officer

14.1 My data protection officer's contact details are: as above.