

# Privacy Policy

## 1. Introduction

Welcome to The Gift of Sleep's privacy policy. We take the privacy of our sleep consultancy customers and website users very seriously. This privacy policy explains what information we collect from parents and children who are receiving the sleep consultancy services and general website users and how we propose to use their personal information ("personal data") and what steps we take to ensure that it is kept secure.

We reserve the right to amend this privacy policy at any time if we deem it necessary to protect your personal data, comply with applicable law, or fulfil a legitimate business interest of ours. It is your responsibility to make yourself familiar with the terms of this policy, and regularly check our website <https://thegiftofsleep.uk> ("Website") for updates; however, we will use all reasonable endeavours to give you reasonable notice of any material change we make to our privacy policy.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO) ([www.ico.org.uk](http://www.ico.org.uk)). However, we strongly recommend that you first inform us of any complaint you may have. We will endeavour to settle any complaint or disagreement between you and us.

## 2. Changes

It is important that the personal data we hold about you is accurate and current. Please ensure that you keep us informed of any changes.

## 3. How we collect your personal data

You may give us data in writing or by filling in forms or by corresponding with us by post, phone, email, social media or otherwise, including but not limited to when you:

- enter into a contract to use our sleep consultancy services;
- contact us about any contract we have with you;
- request marketing to be sent to you;
- enter a promotion or survey; or
- give us some feedback.

## 4. How we use your data

We will only use your personal data to the extent permitted under application data protection and privacy laws.

We have set out below how and why we plan to use your personal data.

Purpose/Activity	Lawful basis for processing including basis of legitimate interest
To process your contact information	Performance of a contract with you
<p>To perform any contract with you including:</p> <p>(a) Managing payments, fees and charges</p> <p>(b) Collecting and recovering money owed to us</p> <p>(c) Addressing any breach of contract</p>	<p>(a) Performance of a contract to provide you with sleep coaching services including therapy for improving sleeping habits. As part of the provision of our services, we typically collect the child's address, parents' names, addresses, contact numbers and email addresses.</p> <p>(b) Necessary for our legitimate interests (to recover debts due to us)</p> <p>(c) Necessary for our legitimate interests (to ensure compliance with contract terms)</p>
<p>To manage our relationship with you which will include:</p> <p>(a) Notifying you about changes to our terms and conditions or privacy policy</p> <p>(b) Notifying you about changes to our business which are relevant to you</p>	<p>(a) Performance of a contract with you</p> <p>(b) Necessary to comply with a legal obligation</p> <p>(c) Necessary for our legitimate interests (to keep our records updated and to study how people use our business)</p>
<p>To administer and protect our business and our Website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)</p> <p>(b) Necessary to comply with a legal obligation</p>
<p>To make suggestions and recommendations to you about related goods or services that may be of interest to you</p>	<p>Necessary for our legitimate interests (to develop and grow our business)</p>
<p>Asking you to complete a survey</p>	<p>Necessary for our legitimate interests (to study how people use our business, to develop and grow our business)</p>

Collecting certain health data regarding your child	Personal information relating to your child's physical and mental health and details of any medication he or she may be taking, child's doctor's name and address, details of any allergies/medical history/ requirements, whether the child has any special educational needs or disabilities, racial origin and more. This is not an exhaustive list. All of the above personal information is counted as 'Sensitive Personal Data'.
To deliver relevant Website content to you and measure or understand the effectiveness of the advertising we serve to you	Necessary for our legitimate interests (to study how people use our services, to develop and grow our business and to help inform our marketing strategy)
To use data analytics to improve our Website, products/services, marketing, relationships and experiences	Necessary for our legitimate interests (to define types of people for our products and services, to keep our Website updated and relevant, to develop our business and to inform our marketing strategy)
To allow third party service providers to carry out any of the services we offer, or activities on our behalf.	Necessary for our legitimate interest to appoint suppliers and service providers in support of our business.

## 5. Aggregated Data

We also may collect 'Aggregated Data', such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not legally considered as personal data 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 website feature. 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.

## 6. Sensitive Personal Data

Where we are processing your or your child's sensitive personal data as described above in the table, we will ensure that we have your explicit consent before we use/process any Sensitive Personal Data. We will only use your/your child's Sensitive Personal Data for a purpose it was collected for or a reasonably compatible purpose if necessary.

If for any reason we consider we need to share some of your child's Sensitive Personal Data with a third party, for example a health visitor, we will ensure to get your explicit and written consent before we do so.

We may process your/your child's Sensitive Personal Data without your knowledge or consent where this is required or permitted by law.

## **7. Children**

Our website and services do not address anyone under the age of 18 ("Children").

We do not knowingly collect personal data from anyone under the age of 18. Therefore, if you are a parent or guardian and you are aware that your Children has provided us with Personal Data, please contact us. And if we become aware that we have collected Personal Data from children without verification of parental consent, we take steps to remove that information from our servers.

## **8. Promotional offers from us**

We may use your personal data to form a view on what we think you may want or need, or what may be of interest to you if they relate to child sleeping issues and related products or services.

We may then use your personal data to send you marketing communications from us if you have requested information from us or purchased from us or if you provided us with your details when you entered a competition or registered for a promotion and, in each case, you have not opted out of receiving that marketing.

## **6. Other marketing**

We will get your express opt-in consent before we use your personal data for any other marketing purpose or share it with any third party for marketing purposes.

## **7. Opting out**

You can ask us or third parties to stop sending you marketing messages at any time by contacting us at [Charlotte.Hillyard@thegiftofsleep.uk](mailto:Charlotte.Hillyard@thegiftofsleep.uk)

## **8. Cookies**

For information about the cookies we use please see below:

We use a number of different cookies on our Website. If you do not know what cookies are, or how to control or delete them, then we recommend you visit <http://www.aboutcookies.org> for detailed guidance.

Set out below, we describe the cookies we use on this site and what we use them for. Currently we will ask you to accept certain cookies that we use on the Website by ticking a box. If you accept our use of cookies and then decide that you are not happy for us to use them any longer, then you should either not use this site, or you should delete the cookies having visited the site, or you should browse the site using your browser's anonymous usage setting (called "Incognito" in Chrome, "InPrivate" for Internet Explorer, "Private Browsing" in Firefox and Safari etc.)

## **9. First Party Cookies**

These are cookies that are set by the Website directly.

Google Analytics: We use Google analytics to collect information about visitor behaviour on our Website. Google analytics stores information about what pages you visit, how long you are on the site, how you got here and what you click on. These analytics data is collected via a JavaScript tag in the pages of our site and is not tied to personally identifiable information. We therefore do not collect or store your personal information (e.g. your name or address) so this information cannot be used to identify who you are.

You can find out more about Google's position on privacy as regards to its analytics service at <https://support.google.com/analytics/answer/9019185?hl=en>

## **10. Third Party Cookies**

These are cookies set on your machine by external websites whose services are used on the Website. Cookies of this type are the sharing buttons across the site allow visitors to share content onto social networks.

Cookies may be set by Facebook, Instagram and Google, Twitter, Tiktok. In order to implement these buttons and connect them to the relevant social networks and external sites, there are scripts from domains outside of our Website. You should be aware that these sites are likely to be collecting information about what you are doing all around the internet, including on this Website.

You should check the respective policies of each of these sites to see how exactly they use your information and to find out how to opt out, or delete, such information.

### **11. Change of purpose**

Please note that we may process your personal data without your knowledge or consent where this is required or permitted by law.

However, if we need to use your personal data for a new purpose and the law allows us to do so, we will notify you and explain the legal basis for our actions.

### **12. Visitors to our Website**

We will not collect your personal data without your consent unless we are required or permitted by law.

When someone visits our Website, we may use a third-party service to collect standard internet log information and details of visitor behaviour patterns. We do this to find out things such as the number of visitors to the various parts of the Website. This information is processed in a way which does not identify you.

### **13. 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 notice of any websites you visit.

### **14. What happens if you fail to provide personal data**

If you do not provide personal data to us and this would prevent us from performing the contract we have or are trying to enter into with you, or place us in breach of the law, we may have to cancel your order. We will notify you if this is the case.

### 15. Disclosures of your personal data

We may share your personal data with third parties to help us run our business or carry out our obligations to you:

Lawful basis for processing including basis of legitimate interest	
Our Suppliers	Performance of a contract with you. Necessary for our legitimate interests (performing the contract).
Service providers for IT and system administration	Performance of a contract with you. Necessary for our legitimate interests (performing the contract, using your data as we have described in this notice).
Our professional advisers including lawyers, bankers, auditors and insurers	Necessary for our legitimate interests (complying with our legal obligations).
HM Revenue & Customs, regulators and other authorities	Necessary for our legitimate interests (complying with our legal obligations).

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.

### 16. International transfers

We may use third parties who are based outside of the UK or the EEA, so their processing of personal data will involve a transfer of data outside those jurisdictions. Whenever we transfer personal data out of the UK or the EEA, we ensure a similar degree of protection is afforded to it by ensuring that we only transfer your personal data to countries that have been deemed to provide an adequate

level of protection for personal data by the UK Secretary of State for the Home Department or the European Commission. For further details, see the European Commission: Adequacy of the protection of personal data in non-EU countries and the UK Secretary of State for the Home Department: Adequacy regulations; or where we use certain service providers, we may use specific contracts approved by the UK Information Commissioner's Office or the European Commission, which give personal data the same protection it has in the UK or Europe. For further details, see standard contractual clauses for international transfers | European Commission (europa.eu).

Please contact us at [Charlotte.Hillyard@thegiftofsleep.uk](mailto:Charlotte.Hillyard@thegiftofsleep.uk) if you want further information on the specific mechanism used by us when transferring personal data out of the UK or EEA.

## **17. Data security**

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 employees, agents, contractors and other third parties on a need-to-know basis. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

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.

## **18. How long will we use your personal data for?**

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.

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 requirements.

You can ask us about the retention periods for different aspects of your personal data by contacting us.

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



## 19. Your legal rights

You have the right to:

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.

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.

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. Please be aware, 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.

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.

5) 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.

6) 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.

7) 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.

8) 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.

We do not knowingly collect data relating to children who are not able to consent to giving us their personal data.

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 if we reasonably believe that your request is unfounded, repetitive or excessive.

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.

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 several requests. In this case, we will notify you and keep you updated.

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