

**Data Protection General Statement:**

This Data Protection Statement outlines Jrsy Laser Limited (t/a Jersey Laser) commitment to its patients, staff, suppliers and other individuals to operate its business activities in a manner which meets the compliance obligations of the Jersey data protection legislation, the Data Protection (Jersey) 2018 Law ("DPJL") and the General Data Protection Regulation (EU) 2016/679.

Jersey Laser understands and respects your right to privacy and we are committed to ensuring the confidentiality and security of your personal data and the personal data processing activities within our organisation by applying the appropriate technical and organisational measures required to achieve this objective.

This document covers the policies and procedures for processing personal data in a compliant manner and outlines the rights of the data subjects in respect of that data. The Privacy Notice below explains how we may use, process and store your personal data.

**Data Controller:**

Jrsy Laser Limited trading as Jersey Laser is the data controller of all personal data and data processing activities of its hair removal and skin care clinic operating in Jersey, Channel Islands, UK. The company's clinic is located at The Wellness Centre, Castle Quay, Millais House, Rue de L'etau, St. Helier, Jersey, JE2 3HW.

The company runs several websites. The current list may be viewed here:

[www.jerseylaserclinic.co.uk/dpp-pp.php](http://www.jerseylaserclinic.co.uk/dpp-pp.php)

The Registered Office of the company is Melbury Lodge, Le Mont Felard, St. Lawrence, Jersey, JE3 1JA. Jrsy Laser Limited is registered as data controller with the Jersey Office of the Information Commissioner and its number is 70645.

**Reference documents:**

- Data Protection (Jersey) Law 2018
- Data Protection (Registration and Charges)(Jersey) Regulations 2018
- EU General Data Protection Regulation 2016/679

## Privacy Notice:

### Scope of application:

This policy applies to our business activities operating within Jersey, Channel Islands, or the personal data processing of the data subjects within the European Economic Area (EEA) and UK.

### Personal data:

Personal data means any information relating to an identified or identifiable natural person.

Jersey Laser collects the following categories of personal information;

From Patients	From Suppliers
<ul style="list-style-type: none"><li>• Contact details: e.g. name, address, email address, telephone and mobile number and other relevant contact information, emergency contact and next of kin contacts etc.</li><li>• Date of birth</li><li>• General health and medical information</li><li>• Skin care treatment plan and historic information (when required in advance of treatment)</li><li>• Conversations/incidents about your care and treatment plan</li><li>• Debit or credit card information for Customer Not Present (CNP) transactions</li><li>• Photos and other images (if required)</li><li>• Voice and video recording during consultations (when required and agreed)</li></ul>	<ul style="list-style-type: none"><li>• Contact details: e.g. name, address, email address, telephone and mobile number and other relevant contact information</li><li>• Job title</li><li>• GST and/or VAT number</li><li>• Website details</li><li>• Relevant business social media details e.g. LinkedIn</li></ul>

Note 1: Jersey Laser uses the services of WorldPay as its payment card provider. All digital payment processing is carried out using the WorldPay computer systems, and WorldPay uses the highest security standards expected of such organisations. The WorldPay privacy notice can be viewed by visiting the website using the website address below, <https://online.worldpay.com/terms/privacy>.

Note 2: Paper copies of transaction receipts (Merchant copy) produced by the WorldPay system are kept by Jersey Laser for payment reconciliation purposes. For Customer Not Present (CNP) transactions, the customer payment card information is presented on the receipt, and these receipts are stored in a lockable secured cabinet with restricted access.

These transactions slips are destroyed after the applicable retention period expires. Please see details on the retention of data section below.

Note 3: Jersey Laser can offer, at its own discretion, an interest free monthly direct debit or credit card payment arrangement in relation to the payment of treatment costs. With the customer’s consent, such payments are processed by Jersey Laser according to the terms in the payment agreement. To avail of such a payment arrangement, please speak to one of the company’s directors.

**Special category personal data:**

As part of the new patient onboarding process, and for pre-treatment assessments, patients will be asked to complete prescribed forms to be able to inform Jersey Laser clinical staff about their general health condition, and any other health issues, that may assist the staff in determining if the requested or proposed skin care treatments are suitable or not suitable.

Patients will be asked to provide their explicit consent to share this information with Jersey Laser, and if required and authorised by you, to share your information with other approved health care professional(s).

It should also be noted that in certain circumstances, requested or proposed skin care treatments will not be provided until all the information required as per the prescribed skin care treatment supplier form, or other Jersey Laser clinic form(s), is provided by the patient, so as to ensure the safety of the patient and clinic staff before, during and after treatment.

**Purposes of data processing;**

Jersey Laser use the personal data noted above for the following range of activities:

<b>Purpose</b>	<b>Lawful bases for processing</b>
The <b>provision of skin care treatment services and sale of related products</b> in the Jersey Laser clinic	Processing is undertaken in the performance of a <b>Contract</b> -i.e. the skin care treatment and sales transactions
Keeping a <b>patient updated about appointment(s)</b> via text message, telephone, email and/or social media	Processing is undertaken in the performance of a <b>Contract</b>
If required for skin care treatment purposes, <b>transfer of patient data to/from other health experts</b> for professional opinion, advice and/or treatment	Processing is undertaken in the performance of a <b>Contract</b> -i.e. to successfully treat and care for the patient

<p>If required to enable <b>further treatment or care or for other health purposes</b>, transfer of patient personal data to authorised personnel in a hospital, patient’s doctor or other relevant party</p>	<p>Processing may be undertaken in circumstance where it is in the <b>Vital Interest</b> of the patient -i.e. in cases of immediate and critical health emergency</p>
<p>For managing <b>patient complaints and patient feedback</b> on our services to ensure all facts are accurate, ensure that there are no risks to the patient health and to protect Jersey Laser from unwarranted, unproven, unfounded adverse professional service claims</p>	<p><b>Legitimate interest</b> basis is used by Jersey Laser to operate its business to manage patient complaints and customer feedback in a professional and accurate way.</p> <p>You have the right to object to such processing by contacting our company director</p>
<p>For aiding consultant and clinic staff <b>professional training</b>, patient data may be used in certain restricted circumstances</p>	<p>Where <b>Consent</b> is obtained from the patient when the data is not or cannot be made anonymised</p>
<p><b>Direct marketing activities</b> to patients for promoting new product or service launches, e.g. using emails, text sms messaging, social media or written correspondence or via promotional agents</p>	<p>Where <b>Consent</b> was received from the patient by the use of “opt-in” choices for marketing preferences -i.e. when joining as a new patient (or returning) or when updating a patient’s contact information</p> <p>Consent maybe withdrawn at any time by just choosing the “unsubscribe” link in the relevant email or informing the clinic you do not wish to receive any more of this type of information</p>
<p><b>Use of social media</b> to advertise and promote products and services which may be of interest to patients e.g. using Facebook, Instagram</p>	<p><b>Legitimate interest</b> basis is used by Jersey Laser to operate its business to improve products and services offered to patients and interested parties</p> <p>You have the right to object to such processing by contacting our company director</p>
<p><b>Building and managing</b> patient, supplier, service provider, intermediary and other business relationships</p>	<p><b>Legitimate interest</b> basis is used by Jersey Laser to operate its business to improve products and services offered to interested parties</p>

	You have the right to object to such processing by contacting our company director
Provision of a <b>Safe and Secure environment</b> for patients, employees and business assets by the use of Health & Safety standards and procedures, and use of CCTV. (Where CCTV is used, appropriate signage and the required notifications will be displayed)	<b>Legitimate interest</b> basis for Jersey Laser to operate its business services to best practice security standards  You have the right to object to such processing by contacting our company director
<b>Managing security and access</b> to the computer systems, premises, Platforms, website and applications	<b>Legitimate interest</b> basis for Jersey Laser to protect its business computer systems, business premises and staff  You have the right to object to such processing by contacting our company director
<b>Recruitment</b> of suitably skilled professional and business support staff	<b>Legitimate interest</b> basis for Jersey Laser to promote its business to attract suitably skilled and qualified staff  You have the right to object to such processing by contacting our company director
<b>Establishment and exercise or defence of legal claims</b> , whether in court proceedings or in an administrative or out-of-court procedure.	<b>Legitimate interest</b> basis for Jersey Laser to protect and assert its legal rights and the legal rights of others.  You have the right to object to such processing by contacting our company director
<b>Obtaining or maintaining insurance</b> cover, managing risks, or obtaining professional advice.	<b>Legitimate interest</b> basis for Jersey Laser to protect and assert its legal rights and the legal rights of others  You have the right to object to such processing by contacting our company director
Comply with <b>legal, tax and regulatory</b> Obligations	In the performance of a task carried out in compliance with a <b>Legal Obligation</b>

## **Data collection methods**

We collect personal data in the following ways:

- when you complete and submit a new patient form when joining our clinic for the first time via paper or digital forms
- when you are asked to update your personal data in advance of a skin care appointment, consultation and treatment e.g. updating your contact information, health condition and other relevant information
- when you contact us by telephone and leave a voicemail message or send us emails or text messages or contacting us through our website
- when viewing and using our website [www.jerseylaserclinic.co.uk](http://www.jerseylaserclinic.co.uk), and all of the other websites noted above
- when you transfer to us from another skin treatment and care clinic, we may receive your patient records once you have given us your consent for us to receive it
- in certain circumstances, in order to provide you with the requested skin care treatment, we may receive personal data from the States of Jersey or hospital or other relevant authorised body
- from third party channels such as public registers, social media and any other public open forums
- directly from you as a member of the public, staff member, business partner, supplier or intermediary when engaging with us directly
- from use of website cookies and beacons which may track your usage of our website and uploading of information to the website.

**Information collected:**

Patient and other data subject personal data will only be used by us where you are seeking to purchase and use our range of professional skin care treatments, products and services.

The personal data collected is used to

- meet our obligations in the performance of a contract for provision of products or services which you have requested of us
- to meet our obligations and any requirements of the Jersey Care Commission, or other relevant professional body
- assist us in the delivery and operation of secure business communications via email and our website and other relevant means
- meet legal obligations from relevant local laws in relation to sale of product and services transactions e.g. GST/VAT
- meet any legal obligations in relation to the defence of a legal claim or where we received a court order for the disclosure of personal data
- meet any other legal obligations from relevant local laws
- assist you in case of an emergency situation e.g. if there was an accident at our premises

Personal data may be used for legitimate business interest of Jersey Laser as indicated above.

Only personal data that is necessary for the purposes of assisting our patients with the provision of products or services as outlined above is actively collected.

Jersey Laser is required to meet all relevant care and safety standards requested by the suppliers of the hair removal and skin care products and services used in our clinic, and in doing so, it may need to refer to the processing of the personal data as outlined in this privacy notice.

Any other personal information is only passively collected and is processed in accordance with this Privacy Notice, or it may be collected and processed as required by law.

**Recipients of data:**

Personal data collected may be disclosed or transferred to;

- Jersey Laser's data processors who provide services in relation to the provision of skin care products and services, computer systems used for the maintenance of patient records, photo, video or xray services
- Jersey Laser's business partners who may provide professional services in relation to additional expert skin care services, hospital and relevant health care providers
- Jersey Laser's data processors who provide services in relation to the secure and safe running of its business systems and processes
- Professional agents in the provision of required services (e.g. lawyers, bankers, accountants, auditors)
- Law Enforcement and Competent Authorities as required by law where such disclosure is necessary for compliance with a legal obligation
- Other third parties where requested by you and when relevant consent has been obtained from you
- Any new owner of Jersey Laser should it be acquired or merged with another company

Third party service providers are bound by the requirements of the Data Processor Agreement obligations, where personal data is to be processed to high standards of confidentiality and the required security arrangements are in place.

**Social media platforms:**

When we use social media platforms e.g. Facebook, Instagram, we only operate it so as to promote our own business and we would not knowingly engage in activities that go beyond this scope. Patients (and other data subjects) are advised to refer to the respective privacy notices of these social media platforms to check your data protection and privacy rights. Jersey Laser cannot be held responsible for third party social media platforms or websites activities.

Jersey Laser's own social media accounts are identified as being the following:

Facebook     <https://www.facebook.com/jerseylaserandcavi/>  
Instagram    <https://www.instagram.com/jerseylasercastlequay/>



**Transfer and access to personal data:**

Jersey Laser will only transfer data outside of the EEA where it is necessary for the performance of the contract agreed by you.

Where the destination of the data transfer is outside the EEA and does not include a third country that has an “adequacy/equivalence” status, as recognized by the EU Commission, we would always ensure that appropriate safeguards are in place.

Where we cannot guarantee these safeguards, we would always request your consent before the data is transferred.

**Retention of data:**

Jersey Laser will only retain your personal data for as long as is necessary to fulfill the purpose for which it was collected. Summary of the important data retention periods are as follows;

- Jersey Laser will retain personal data in relation to patient, staff, supplier, other data subjects’ transactions for 10 years from the date of the transaction where they are deemed to be part of the financial records of the business
- Patient records will be kept for as long as the patient and Jersey Laser relationship exists, thereafter for 8 years.

Jersey Laser will follow the requirements and guidance of the local Jersey health department in relation to the retention of patient records, but in the absence of such local requirements or guidance, it will follow the NHS Records Management Code of Practice (recently published August 2021), where patient care records are kept for up to 8 years after the business relationship with the patient has ended.

- Any information required for the defence of a legal claim or to meet any other legal obligation will be held until the matter is satisfactorily resolved by the courts or relevant regulatory body.

This is subject to the exception where the data cannot be deleted for legal or regulatory reasons.

**Data subject rights:**

Where a data subject in the European Union (or any “adequate/equivalent” status country) wishes to exercise their rights under applicable data protection laws, they should contact our company director at [info@jerseylaser.co.uk](mailto:info@jerseylaser.co.uk)

Data subjects have a number of rights available to them;

- access to their personal data,
- rectification of any inaccuracies,
- restriction on the processing their data
- to object to the processing of their data
- to be forgotten (erasure of your data)
- right to data portability
- right to object to automated decision making and profiling
- right to withdraw consent for those data processing activities based on consent

Jersey Laser does not make any decisions based on purely automated means, but if we do, you have a right to object.

Each data subject request to exercise the rights noted above will be reviewed against the requirements of the Data Protection (Jersey) Law 2018 and in certain circumstances (e.g. restriction, erasure, objection, data portability) these rights may not be exercisable by the company. Full explanations will be given in such cases.

**Making a complaint:**

The Office of the Information Commissioner in Jersey, Channel Islands, is an independent statutory authority where you can make a complaint or learn more about data protection in Jersey. Their office is located at 2<sup>nd</sup> Floor, 5 Castle Street, St. Helier, Jersey, JE2 3BT. Their website is [www.jerseyoic.org](http://www.jerseyoic.org) and telephone number is 01534 716530.

**Security features:**

Jersey Laser is committed to ensuring the security of your personal data and has implemented appropriate commercially reasonable technical, physical and organizational measures to prevent unauthorized or unlawful processing of your personal data or accidental loss or destruction of your personal data.

Management and employees are trained in their data protection responsibilities and obligation to handle personal data in a confidential manner.

**Change to this notice:**

Jersey Laser may update this Privacy Notice at any time. The updated notice will appear on our website [www.jerseylaserclinic.co.uk](http://www.jerseylaserclinic.co.uk), and on all of the other websites noted above, and in our Terms of Business.

This Privacy Notice was last approved on 11 April 2023.

**Contact details:**

If you have any questions, concerns or complaints with respect to this Privacy Notice or the handling of your privacy or personal information, please contact our company director at [info@jerseylaser.co.uk](mailto:info@jerseylaser.co.uk)