



## Privacy policy

This is the privacy notice for Pearlfect Care Pharmacy.

Pearlfect Care Pharmacy respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) or use any of our services that link to this privacy notice, including our testing, wellness and therapeutic services and tell you about your privacy rights and how the law protects you.

This policy is set out as follows:

- **Important Information and who we are**
- **The personal data we collect about you**
- **How is your personal data collected**
- **How we use your personal data**
- **Disclosures of your personal data**
- **Data Sharing**
- **Data Security**
- **Data Retention**
- **Your Legal Rights**
- **Glossary**

### 1. Important Information and who we are

#### Who We Are

Pearlfect Care Pharmacy (Collectively referred to as “Pearlfect Care Pharmacy”, “we”, “us” or “our” in the privacy notice) is a company which is incorporated in England & Wales with the number 7570715 and is registered under the Data Protection Act ZA224669.

Pearlfect Care Pharmacy is a data controller and is registered under the Data Protection Act ZA224669

We have appointed a Data Protection Officer (DPO) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your rights under the Data Protection Act please contact the DPO using the details set below.

## **Contact Details**

The Data Protection Officer  
Pearlfect Care Pharmacy

Abidemi Asher Yusuf  
Conference Centre, Hilton, Elton Way. WD25 8HA

Email address: [pharmacy@pearlfect1998.com](mailto:pharmacy@pearlfect1998.com)

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](http://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.

## **CHANGES TO THE PRIVACY NOTICE AND YOUR DUTY TO INFORM US OF CHANGES**

Our Privacy Policy is updated from time to time. We may email you if there are any major changes otherwise it is your responsibility to check here for changes.

This privacy notice was last updated on the 10<sup>th</sup> June 2022

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.

## **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 every website you visit.

## 2. THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data that does not identify you (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together in the categories shown below in **bold**, examples of data in each category are also shown, actual data collected may differ from the examples. This is information that you give to us by filling in forms on our website, using our app, or by corresponding with us by post, phone, email or otherwise:

- **Identity Data** such as, title, first name, last name, date of birth and gender.
- **Contact Data** such as, address, email address and telephone numbers.
- **Travel Data** such as flight/Vessel/Coach number, passport number, travel movements (including date of arrival in the UK, recent travel information (such as which countries you have been to in the last 14 days and dates), quarantine address.
- **Transaction Data** such as, details about payments to and from you and other details of products and services you have purchased from us.
- **Profile Data** such as, your username and password, purchases or orders made by you, your interests, preferences, feedback, referral source and survey responses.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

### ***Special Categories of Data:***

- **Health and medical data** such as general health lifestyle and wellbeing, medical information including whether you have Covid-19, medical history and risk assessment, vaccination status.

- **Swab sample data** when you attend one of our test centres and take a test or use a home test kit and send us your swab sample in the post, we will carry out tests on that swab sample to extract the relevant Virus RNA test data. We will also process information about your health that can be deduced from your test result (such as whether or not you have Covid-19).
- **Racial or ethnic origin** data is collected when you take a test with us. We use this data as part of our reporting to Public Health England, such as the reporting of positive test results.
- **Images, audio recordings and video** data may be collected to verify your identity and to verify test results.

### Data that we collect about you

- **Technical Data** from your interaction with our website such as, 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, application data and other technology on the devices you use to access this website or the app.
- **Usage Data** includes information about how you use our website, products and services.
- **Call Recordings** Records of your conversations with us (some calls are recorded).

### Data we receive about you from third parties or publicly available sources

We may receive personal data about you from various third parties and public sources as set out below:

- **Technical Data from analytics & tracking providers.** Some, such as Google, are based outside the EEA (see our Cookies Policy for more information);
- **Identity Data, Contact Data, Travel Data** from third parties and other companies who contract with Pearlfect Care Pharmacy to deliver your test such as companies we have engaged to perform services such as Covid-19 testing.

We 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 website feature or aggregate test result data to share with public bodies to improve medical knowledge, help these public bodies and the

general public. 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.

## IF YOU FAIL TO PROVIDE PERSONAL DATA

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 support and appropriate information). In this case, we may have to cancel your membership, but we will notify you if this 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:

- **Direct interactions.** You may give us your Identity and Contact Information and agreement to our Terms by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you
  - **Access our website** and/or online booking form
  - **Request information to be sent to you;**
  - **Give us some feedback.**
- **Automated technologies or interactions.** As 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, server logs and other similar technologies.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
- Technical Data from the following parties:
  - analytics & tracking providers some such as Google based outside the EU;
    - Google Tag Manager
    - Google Analytics
    - WordPress

- YouTube
- Hotjar
- Third parties and other companies who contract with Pearlfect Care Pharmacy to deliver you test such as:
  - Your employers
  - Companies you have engaged to perform tests such as Covid 19
  - Digital GP services
  - Digital accreditation, scheduling and results service

#### **4. HOW WE USE YOUR PERSONAL DATA**

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:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- To process your data on behalf of a data controller your data may or may not be anonymised.
- 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.
- Where we need to comply with a legal or regulatory obligation.

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to setting cookies and sending third party direct marketing communications to you via email or text message. We may also rely on your explicit consent where we want to process special categories of data, such as genetic, biometric data or data relating to your health, where you choose to provide it to us in the context of our services. You have the right to withdraw consent to marketing at any time by emailing [pharmacy@pearlfect1998.com](mailto:pharmacy@pearlfect1998.com).

#### **PURPOSES FOR WHICH 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](#) 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 (depending on the circumstances in which we process your personal data)
<p>To manage Covid-19 tests including:</p> <ul style="list-style-type: none"> <li>(a) Carrying out and managing tests (via an RHC or issuing a home test kit), including scheduling and performing a medical test and analysing viral strains</li> <li>(b) Sending data subjects home test kits and enabling them to activate them:</li> <li>(c) Receiving swabs and data subjects:</li> <li>(d) Performing quality check tests</li> <li>(e) Verifying identification via images and video.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Biological sample</li> <li>(b) Identity</li> </ul>	<ul style="list-style-type: none"> <li>(a) Performance of a contract with you</li> <li>(b) Necessary for our legitimate interests (to perform Covid-19 tests on behalf our clients)</li> <li>(c) Necessary to comply with legal obligation</li> <li>(d) Necessary for the performance of a task carried out in the public interest (in the area of public health)</li> <li>(e) Necessary in the area of Health and Social Care, preventive or occupational medicine, and medical diagnosis.</li> </ul>
<p>To manage test results with two or more of the following</p> <ul style="list-style-type: none"> <li>(d) Yourself</li> <li>(e) CQC medic</li> </ul>	<ul style="list-style-type: none"> <li>(a) Identity</li> <li>(b) Contact</li> <li>(c) Results</li> </ul>	<ul style="list-style-type: none"> <li>(a) Necessary for our legitimate interests (to manage Covid-19 tests on behalf our clients)</li> <li>(b) Necessary to comply with a legal obligation</li> </ul>

(f) Public Health Body such as UKHSA agency under terms (UKHSA SI 568, 1549, and 914).

(c) Necessary for the performance of a task carried out in the public interest (in the area of public health)

(d) Necessary in the area of Health and Social Care, medical diagnosis, preventive or occupational medicine, and medical diagnosis

(a) Performance of a contract with you

To produce required certificates:

(b) Necessary for our legitimate interests (to manage Covid-19 tests on behalf our clients)

(a) Fit to Fly

(a) Identity

(b) Test to Release

(b) Contact

(c) Necessary to comply with a legal obligation

(c) International Arrivals

(c) Test Result

(d) Other certificates under changing travel legislation

(d) Other Necessary data

(d) Necessary for the performance of a task carried out in the public interest (in the area of public health)

(e) Necessary in the area of Health and Social Care, medical diagnosis, preventive or occupational medicine, and medical diagnosis

To manage our relationship with you which will include:

(a) Identity

(a) Performance of a contract with you

(a) Notifying you about changes to our terms or privacy policy

(b) Contact

(b) Necessary to comply with a legal obligation

(b) Asking you to leave a review or take a survey

(c) Address

(d) Profile

(c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)

(e) Marketing and Communications

To administer and protect our business and this

(a) Identity

(a) Necessary for our legitimate interests (for running our



website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(b) Contact (c) Technical	business, provision of administration and IT 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  (c) Necessary for the defence of legal claims
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(f) Technical (a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage	Necessary for our legitimate interests (to develop our products/services and grow our business)
To engage in research and development to improve our COVID-19 swabbing, testing and reporting	(e) Profile (a) Identity (b) Contact	(a) Necessary for our legitimate interests

processes and to improve our technology

(c) Test Result  
(d) Other Necessary data

(b) (to improve our COVID-19 swabbing, testing and reporting processes and to improve our technology)

(e) Usage Data

(f) Special Categories of Data

## **MARKETING**

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. We have established the following personal data control mechanisms:

### **PROMOTIONAL OFFERS FROM US**

We may use your Identity, Contact, Technical, 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 (we call this marketing).

You may receive marketing communications from us about our products and services if you have requested information from us or purchased services from us and, in each case, you have not opted out of receiving that marketing. If you receive marketing communications from us via email or text message, you will be provided the option to opt-out of further messages within the email or text message.

### **THIRD-PARTY MARKETING**

We will get your express opt-in consent before we share your personal data with any company outside the Pearlfect Care Pharmacy for marketing purposes.

## 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](#) 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 a product/service purchase or other transactions.

## COOKIES

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly.

## 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](#).

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 have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- Internal Third Parties as set out in the *Glossary*.
- External Third Parties as set out in the *Glossary*.

- 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 notice.

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. DATA SHARING**

We may share your personal data with the following third parties:

- Where you have provided consent, we may share your personal data with the third parties to whom you have consented, such as when you authorise a third party to contact you in relation to a service.
- To our service providers, business partners and contractors who provide services on our behalf or who we use to support our business.
- We may also share your personal data with other third parties in the context of the possible sale or restructuring of the business, and will instruct those recipients that they must use the personal data only for the purposes described in this notice.
- We may need to share your personal data with a regulator, competent law enforcement body, government agency, court or other third party to (i) comply with the law; (ii) enforce the terms of a contract; and (iii) protect the rights, property, or safety of Pearlfect Care Pharmacy or others. For example, if you test positive for COVID-19, we are legally obliged to share your details with the UK Health Security Agency.

## **INTERNATIONAL TRANSFERS**

Some of our external third parties who we use in our processes may process your information outside the UK and/or the EEA, to ensure your data is protected to an adequate level we will ensure that appropriate safeguards and security measures are in place for that transfer and storage

as required by applicable law and we will have implemented at least one of the following:

- We may transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the ICO and/or the European Commission. For further details, see [European Commission: Adequacy of the protection of personal data in non-EU countries](#).
- Where we use certain service providers, we may use specific contracts approved by the ICO and/or the European Commission which give personal data the same protection it has in Europe and/or the UK. For further details, see [European Commission: Model contracts for the transfer of personal data to third countries](#).
- If you use our services whilst you are outside the EEA and/or the UK, your information may be transferred outside the EEA and/or the UK in order to provide you with those services.

Please [Contact us](#) if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

## **7. DATA SECURITY**

We have put in place appropriate security measures to protect against 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 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.

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**

### **HOW LONG WILL YOU USE MY 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 and General medical guidance

By law we have to keep basic information about our customers including Contact, Identity, Financial and Transaction Data for six years after they cease being customers for tax purposes, unless a data audit dictates otherwise.

In some circumstances you can ask us to delete your data: see [*Request erasure*] below for further information.

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

Under certain circumstances, you have rights under data protection laws in relation to your personal data. These include 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 (also called the Right to Be Forgotten). 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: (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.

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

If you wish to exercise any of the rights set out above, please [Contact us](#)

**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.

## **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**

### **LAWFUL BASES**

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