

CLERA HEALTHCARE PILOT STUDY PRIVACY NOTICE

Last updated: 30.01.2025

1. INTRODUCTION

1.1 Clera Healthcare Ltd ("**Clera**", "**we**", "**our**", or "**us**") is a company which provides a software platform for healthcare teams to communicate directly with their patients while receiving care in hospital (the "**Clera Platform**"). This privacy notice sets out how we collect, store, process, transfer, share and use data that identifies or is associated with you ("**personal information**") when you use the Clera Platform.

1.2 If you have any questions about this privacy notice or how we use your personal information, please contact us using the details in paragraph 3 below.

2. WHO IS RESPONSIBLE FOR YOUR PERSONAL INFORMATION?

2.1 Clera Healthcare Ltd is the data controller of the personal information that we collect and use as set out in this privacy notice. This means that we determine and are responsible for how your personal information is used.

2.2 If you are a patient using the Clera Platform, we will need to process certain information relating to your diagnosis, treatment or otherwise relating to your health in order to provide the Clera Platform. When we do so, we process this personal information as a data processor on behalf of the relevant NHS Trust in which you are admitted for healthcare treatment. This means that the relevant NHS Trust will act as data controller of such personal information collected about you. For further information about how your personal information is used, please refer to the relevant data controller's privacy notice.

3. WHO TO CONTACT WITH ANY DATA PROTECTION QUERIES?

3.1 If you have any questions, comments and requests regarding this privacy notice or how we use your personal information, please contact info@clera.uk.

4. PERSONAL INFORMATION WE COLLECT ABOUT YOU AND HOW WE USE IT

4.1 We collect personal information that you voluntarily submit directly to us when you use the Clera Platform. This can include information you provide to us when you set up a Clera account, communicate via the Clera Platform or otherwise correspond with us by telephone or email. We may also collect some patient contact details such as name and telephone number from your existing patient record.

4.2 Like all online services, we also collect certain personal information about you automatically when you use the Clera Platform to understand how the Clera Platform is used and how we can improve it.

4.3 We have set out the categories of personal information we collect and how we use them in detail below.

Personal information you submit directly to us

4.4 We will indicate to you if the provision of certain personal information is mandatory or optional. If you choose not to provide any personal information marked as mandatory, we may not be able to respond to your queries or provide other services to you.

Category of personal information	How we may use it	Legal basis for the processing
<p>Healthcare professional contact data includes name, email address and job title.</p>	<p>We use this information if you are a healthcare professional participating in our trial of the Clera Platform. We use this information to set up your Clera Platform user account to enable you to communicate with patients via the Clera Platform.</p>	<p>This processing is necessary for the performance of a contract and to take steps prior to entering into a contract with you.</p>
	<p>We use this information to authenticate you when using the Clera Platform and to allow you to log into your user account.</p>	<p>This processing is necessary for the performance of a contract.</p>
	<p>We use this information to send service-related communications and handle any requests you have in connection with your use of the Clera Platform.</p>	<p>This processing is necessary for the performance of a contract.</p>
<p>Patient contact data includes name and telephone number, date of birth and hospital number.</p>	<p>If you are a patient receiving communications through the Clera Platform, we use this information to allow you to receive SMS communications from the relevant healthcare professional regarding your in-patient treatment via the Clera Platform.</p>	<p>This processing is for the performance of a contract and to take steps prior to entering into a contract with you.</p> <p>Our additional lawful basis we rely on for the processing of your hospital number is that it is necessary for the provision of health or social care or treatment.</p>

Category of personal information	How we may use it	Legal basis for the processing
Relative contact data includes name and telephone number.	If you are a relative of a patient receiving communications through the Clera Platform on behalf of the patient, we use this information to allow you to receive communications from the relevant healthcare professional regarding your relative's in-patient treatment via the Clera Platform.	The processing is for the performance of a contract and to take steps prior to entering into a contract with you.
Trial feedback includes, name, email address, telephone number and any feedback on our trial.	We may ask if you would like to provide feedback on our trial of the Clera Platform so that we can understand the effectiveness of the Clera Platform and identify areas for improvement.	The processing is necessary for our legitimate interests, namely, to assess the performance of the Clera Platform in our trial and identify areas for improvement.

Personal information we collect from your patient records

In some instances, if you are a patient and have agreed to participate in the trial, we may collect your contact details from your existing patient records.

Category of personal information	How we may use it	Legal basis for the processing
Patient contact data includes name and telephone number.	If you are a patient receiving communications through the Clera Platform, we use this information to allow you to receive SMS communications from the relevant healthcare professional regarding your in-patient treatment via the Clera Platform.	This processing is for the performance of a contract and to take steps prior to entering into a contract with you.

Personal information we collect manually to measure effectiveness of our trial of the Clera Platform

We also collect some personal information during the trial of the Clera Platform, to enable us to measure the performance and effectiveness of the Clera Platform during the trial.

Category of personal information	How we may use it	Legal basis for the processing
Clera Platform Usage Data includes number of messages sent between a healthcare professional and patient and / or relative.	We use this information to enable us to understand the performance of the Clera Platform during the trial so that we can improve the Clera Platform for future use.	This processing is necessary for our legitimate interests, namely, to measure the performance of the Clera Platform during our trial and identify areas for improvement.

Personal information we collect automatically

- 4.5 We also automatically collect personal information indirectly about the device you use to enable you to access the Clera Platform. We typically collect this information through cookies and similar tracking technologies.

Category of personal information	How we may use it	Legal basis for the processing
Information about your device and network , such as device type, manufacturer, model, operating system, IP address, browser type and unique identifiers associated with your device or your network.	We use this information to operate the Clera Platform and present it to you in the correct format for your device.	The processing is necessary for the performance of a contract with you.

5. HOW LONG WE KEEP YOUR PERSONAL INFORMATION

- 5.1 We will store the personal information we collect for no longer than necessary for the purposes set out and in accordance with our legal obligations and legitimate business interests.

- 5.2 To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from

unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and the applicable legal requirements.

6. RECIPIENTS

6.1 As required in accordance with how we use your personal information, we may share your personal information with the following:

Recipient	Why we share it and how they will use it	Lawful basis
<p>Service providers, such as software service providers and other technical services and communication services to enable us to send messages to you.</p>	<p>These third-party vendors and other service providers perform services for us or on our behalf.</p>	<p>These service providers will use your personal information as processors on our instructions.</p>
<p>Advisors, such as healthcare institutions, legal advisors or accountants.</p>	<p>These advisors will use your personal information to provide advisory services to us.</p>	<p>The lawful basis we rely on for these transfers is that the processing is necessary for our legitimate interests, namely obtaining legal, accounting and other professional advice.</p>
<p>Law enforcement, regulators and other parties for legal reasons. We may share your personal information with third parties as required by law or if we reasonably believe that such action is necessary to (i) comply with the law and the reasonable requests of law enforcement; (ii) detect and investigate illegal activities and breaches of agreements; and / or (iii) exercise or protect the rights, property or personal safety of Clera, its users or others.</p>	<p>These recipients will use your personal information in the performance of their regulatory or law enforcement role, or to advise us in connection with a potential claim or regulatory enforcement action.</p>	<p>The lawful basis we rely on for sharing personal information with these recipients is that the processing is either necessary to comply with a legal obligation to which we are subject or, where there is no applicable legal obligation to share this data, that the sharing is necessary for our legitimate interests, namely enforcing our rights or complying with requests from regulatory authorities.</p>

7. **STORING AND TRANSFERRING YOUR PERSONAL INFORMATION**

7.1 **Security.** We implement appropriate technical and organisational measures to protect your personal information against accidental or unlawful destruction, loss, change or damage. All personal information we collect will be stored on our secure servers. We will never send you unsolicited emails or contact you by phone requesting your ID, password, credit or debit card information or national identification numbers.

7.2 **International Transfers of your personal information.** The personal information we collect may be transferred to and stored in countries outside of the jurisdiction you are in where we and our third-party service providers have operations. If you are located in the United Kingdom ("**UK**"), your personal information may be processed outside of the UK, including in the United States. We will ensure that these international transfers of your personal information are made pursuant to appropriate safeguards, such as:

- (a) ensuring that the personal information is only transferred to countries recognised by the UK Secretary of State as offering an equivalent level of protection as compared to the level of protection in the country you are located; or
- (b) the transfer is to a third party who uses appropriate safeguards in respect of the processing in question, included but not limited to the UK standard contractual clauses, which are recognised as offering adequate protection for the rights and freedoms of data subject, as adopted by the UK Secretary of State.

7.3 We may transfer your personal information to, or store your personal information in, the following countries:

Country	Appropriate Safeguard
USA	Standard Contractual Clauses and / or UK Extension to EU – US Data Privacy Framework (as applicable).

7.4 If you wish to enquire further about the safeguards we use, please contact us using the details set out at the end of this privacy policy.

8. **YOUR RIGHTS IN RESPECT OF YOUR PERSONAL INFORMATION**

8.1 If you are resident in the UK, in accordance with applicable privacy law you have the following rights in respect of your personal information that we hold:

- (a) **Right of access.** You have the right to obtain:
 - (i) confirmation of whether, and where, we are processing your personal information;

- (ii) information about the categories of personal information we are processing, the purposes for which we process your personal information and information as to how we determine applicable retention periods;
 - (iii) information about the categories of recipients with whom we may share your personal information; and
 - (iv) a copy of the personal information we hold about you.
- (b) **Right of portability.** You have the right, in certain circumstances, to receive a copy of the personal information you have provided to us in a structured, commonly used, machine-readable format that supports re-use, or to request the transfer of your personal information to another person.
- (c) **Right to rectification.** You have the right to obtain rectification of any inaccurate or incomplete personal information we hold about you without undue delay.
- (d) **Right to erasure.** You have the right, in some circumstances, to require us to erase your personal information without undue delay if the continued processing of that personal information is not justified.
- (e) **Right to restriction.** You have the right, in some circumstances, to require us to limit the purposes for which we process your personal information if the continued processing of the personal information in this way is not justified, such as where the accuracy of the personal information is contested by you.
- (f) **Right to withdraw consent.** Where we rely on your consent for processing your personal information, you have the right to withdraw your consent. Withdrawal of your consent will not affect the lawfulness of the processing of your personal information before you withdrew your consent.

8.2 **You have a right to object to any processing based on our legitimate interests. There may, depending on the particular circumstances, be compelling reasons for continuing to process your personal information despite your objection, and we will assess and inform you if that is the case. You can object to marketing activities for any reason.**

8.3 If you wish to exercise one of these rights, please contact us using the contact details at the top of this privacy policy.

8.4 We will not charge you a fee for complying with your request to exercise one of these rights, other than where the request is manifestly unfounded or excessive (such as if you submit a number of repeated requests), in which case we may charge you a reasonable fee to cover our administrative costs.

8.5 You also have the right to lodge a complaint to your national data protection authority. If you are in the UK, your local data protection authority is the Information Commissioner's Office, which can be contacted using the details at <https://ico.org.uk/global/contact-us/>.

9. **OUR POLICY TOWARDS CHILDREN**

9.1 The Clera Platform is not directed at persons under 18 and we do not knowingly collect personal information from children under 18. If you become aware that your child has provided us with personal information, without your consent, either directly or by other means, then please contact us using the details below so that we can take steps to delete such information and terminate any account your child has created with us.

10. **CHANGES TO THIS POLICY**

We may update this privacy notice from time to time and so you should review this page periodically. When we change this privacy notice in a material way, we will update the "last modified" date at the beginning of this privacy notice.