

# PRIVACY NOTICE

## **Overview:**

This privacy notice outlines your rights, and my obligations to you, with regard to the recording and storage of your personal information. In this privacy notice I will let you know what information I need to collect from you before we begin therapy and what information I need to collect from you during therapy. I will also set out how I will look after your personal information, for how long I will store it and who I will share it with. In addition, I will let you know what you are able to request from me with regard to this information.

## **My lawful basis for holding your personal information:**

For me to be able to fulfil my responsibilities as a Counsellor I will need to record personal information about you. I need to process your personal information in order to fulfil my contractual obligations to you as a therapist. For example, to assess whether I am able to offer you therapy in the first place, as well as to enable me to deliver effective therapy to you during the time in which we are working together. Your personal information helps guide both my assessment process and my clinical decision-making during therapy. My contractual obligations to you as a therapist are the lawful basis for my processing of your personal information.

## **What is personal information?**

Personal information is information that can be used to identify an individual. Individuals can be identified by various means including their name, address, telephone number or email address for example.

## **What are the laws that protect my personal information?**

The DPA and the General Data Protection Regulation (GDPR) require that all organisations that store personal information about people may only do so provided that the information is: processed lawfully, fairly and in a transparent manner; collected for specified, explicit and legitimate purposes; adequate, relevant and limited to what is necessary; accurate and, where necessary, kept up to date; kept in a form that permits identification of information subjects for no longer than is necessary for the purposes for which the personal information are processed; and processed in a manner that ensures appropriate security of the personal information.

## **What is 'special category' information, and why do you need to process this too?**

Special category information is defined by the GDPR as being information that is more sensitive than other personal information and therefore requires a higher level of protection. Examples of this type of information could include information about your health, race, gender, or religion. In order to lawfully process special category information, I am obliged to identify a specific condition for processing it under Article 9 of the GDPR and communicate this to you. With this in mind, the condition of the GDPR that I apply to the processing of your special category information is that it is 'pursuant to contract with a

health professional'. This means that, if you begin therapy with me, or ask me to assess whether or not you are eligible for me to offer therapy to you, then I will likely need to process some special category information about you. Usually, this is information about your mental health, and I need to process it in order to fulfil my contractual obligations to you in delivering safe and effective therapy.

**How I use your information:**

I will never use your personal data for any purposes other than the administration of the therapy service that I am providing to you i.e. to arrange, cancel and rearrange appointments. I will only retain your personal information for as long as is necessary. This is in line with guidance from the Information Commissioner's Office.

**Initial contact:**

When you contact me to book your initial assessment session, I will collect some brief information to help me to process your enquiry. This will include your name so that I can book the appointment into my diary and also a contact method, for example an email address or phone number. This information is requested so that you can be informed if I am unable to attend our appointment due to unforeseen circumstances.

If an enquiry is made and you decide not to proceed, I will ensure that all of your personal data is deleted within one month. If you would like me to delete this information sooner, please let me know.

**While you are accessing therapy:**

Your email address and/or phone number will be used to provide you with written confirmation of your appointment times if you have given consent for this. Your email address and telephone number will only be used to contact you regarding appointment times. I may also use your email address to email you information that is relevant to your therapy sessions.

Other personal data such as your name, address and date of birth will be used to verify your identity if there is a need to contact your GP or in the event of a request for access to personal data from yourself or for legitimate legal purposes such as a court order.

I will allocate you a client reference number (e.g. CC-5301). Under this reference I will take notes of 'assessment information'. I will note aspects of your presenting difficulties, personal, professional, medical, social and family history that you choose to share with me. This information will be retained in a separate location to your identifiable information (keeping your name and contact details apart from the assessment notes).

I do not routinely write notes of each therapy session but may keep notes from time to time. These notes will be brief and a factual record of the session. These notes do not include any personal details that could be used to identify you and are stored securely. Again, this information will be retained in a separate location to your identifiable information.

**Who I will share information with:**

As a member of the British Association of Counselling and Psychotherapy, it is a professional requirement to ensure my work is appropriately 'Supervised'. Assessment information and session notes may be shared with my Supervisor in order to support the work I do with clients. Your identifiable details will be anonymised.

Your contact details alone will only be shared in exceptional circumstances with my Supervisor if I am incapacitated so that they can contact you to explain the situation. The details of this arrangement are set out in my professional Will.

I may make information from these notes available to legitimate third parties under the following conditions:

- Receipt of a request from you and where the release of the notes is not judged by me as likely to cause you significant harm or harm to another person.
- Where there is a specific legal requirement for me to do so.
- Where there is an ethical duty for me to do so, e.g. to avoid serious harm to yourself or another person, including the safeguarding of children or vulnerable adults.

**How long I hold your personal data:**

Your personal information will be held securely for a period of 5 years from the date of your final attended therapy session with me, after which your therapy notes will be confidentially destroyed. Where it is in our best interests to retain this personal information for a longer period, due to any issues arising out of the work, I will hold this for 7 years from the date of your final attended therapy session with me.

**Data security**

I take the security of the data that I hold about you very seriously. My email account is password protected and laptops used to respond to your emails are password protected and have anti-virus software.

I will hold your name and telephone number on my mobile phone until our counselling relationship ends and then I will delete it from my contact list. The phone is password protected and fingerprint protected.

**Your rights**

Under GDPR guidelines you have the following rights:

- The right to request access to the personal information that I store and process about you.
- You can ask for corrections to be made to the information held or for your personal information to be deleted.
- You can also ask me to restrict the processing of your personal information.
- You can ask me to erase any personal information I hold.

You can read more about your rights at [ico.org.uk/your-data-matters](https://ico.org.uk/your-data-matters).

If you would like to make a request relating to any of the rights above, please send a request in writing by emailing [therapy@kristinadobbs.com](mailto:therapy@kristinadobbs.com). I will endeavour to provide you with the information requested within 4 weeks.

Please be aware that in certain situations I may be unable to comply with the above requests. For example, if compelled to retain the records by a court of law or to comply with my insurance terms and conditions.

If I become aware of a situation where your personal information may have accidentally or maliciously been obtained by a third party, I will notify you within three working days, if this is feasible.

If you are concerned about the way that your information is being held please discuss it with me. If you are still unhappy you have the right to complain to the Information Commissioner's Office [www.ico.org.uk](https://www.ico.org.uk)

I am registered with the ICO: registration number ZA807643

### **Changes to privacy notice**

This privacy notice may be updated from time to time, so please check occasionally for any updates.

### **Agreement**

Without your agreement to my holding your personal information it will not be possible to proceed with counselling.