

Privacy Notice

Introduction

Your privacy is very important to me and you can be confident that your personal information will be kept safe and secure and will only be used for the purpose it was given to me. I adhere to current data protection legislation, including the General Data Protection Regulation (EU/2016/679) (the GDPR), the Data Protection Act 2018 and the Privacy and Electronic Communications (EC Directive) Regulations 2003.

This privacy notice tells you what I will do with your personal information from initial point of contact through to after your therapy has ended, including:

- Why I am able to process your information and what purpose I am processing it for
- Whether you have to provide it to me
- How long I store it for
- Whether there are other recipients of your personal information
- Whether I intend to transfer it to another country
- Whether I do automated decision-making or profiling
- Your data protection rights

I am happy to talk through any questions you might have about my data protection policy and you can contact me via rob@robsmithpsychotherapy.co.uk.

'Data controller' is the term used to describe the person/organisation that collects and stores and has responsibility for people's personal data. In this instance, the data controller is me. I am registered with the Information Commissioner's Office (ZA604797).

My lawful basis for holding and using your personal information

The GDPR states that I must have a lawful basis for processing your personal data. There are different lawful bases depending on the stage at which I am processing your data. I have explained these below:

If you have had therapy with me and it has now ended, I will use legitimate interest as my lawful basis for holding and using your personal information.

If you are currently having therapy or if you are in contact with me to consider therapy, I will process your personal data where it is necessary for the performance of our contract.

The GDPR also makes sure that I look after any sensitive personal information that you may disclose to me appropriately. This type of information is called 'special category personal information'. The lawful basis for me processing any special categories of personal

information is that it is for provision of health treatment (in this case counselling and psychotherapy) and necessary for a contract with a health professional (in this case, a contract between me and you).

In addition, I may process the following categories of personal data about you:

Communication Data: This includes any communication that you send to me. I process this data for the purposes of communicating with you, for record keeping and for the establishment, pursuance or defence of legal claims. My lawful ground for this processing is my legitimate interests which in this case are to reply to communications sent to me, to keep records and to establish, pursue or defend legal claims.

Customer Data: This includes all data relating to any purchases of goods and/or services such as your name, title, billing address, delivery address, email address, phone number, contact details, purchase details and your card details. I process this data to supply the goods and/or services you have purchased and to keep records of such transactions. My lawful ground for this processing is the performance of a contract between you and I and/or taking steps at your request to enter into such as contract.

User data: This includes data about how you use my website and online services. I process this data to operate my website and ensure that relevant content is provided to you, to ensure the security of my website, to maintain back-ups of my website and/or databases and to enable publication and administration of my website, other online services and business. My lawful ground for this processing is my legitimate interests which in this case are to enable me to properly administer my website and my business.

Technical Data: This includes data about your use of my website and online services such as your IP address, your login data, details about your browser, length of visit to pages on my website, page views and navigation paths, details about the number of times you use my website, time zone settings and other technology on the devices you use to access my website. The source of this data is from my analytics tracking system. I process this data to analyse your use of my website and other online services, to administer and protect my business and website, to deliver relevant website content and advertisements to you and to understand the effectiveness of my advertising. My lawful ground for this processing is my legitimate interests which in this case are to enable me to properly administer my website and my business and to grow my business and to decide my marketing strategy.

Marketing Data: This includes data about your preferences in receiving marketing from me and my third parties and your communication preferences. I process this data to enable you to partake in my promotions, to deliver relevant website content and advertisements to you and measure or understand the effectiveness of this advertising. My lawful ground for this processing is my legitimate interests which in this case are to study how customers use my products and/or services, to develop them, to grow my business and to decide my marketing strategy.

I may use Customer Data, User Data, Technical Data and Marketing Data to deliver relevant website content and advertisements to you and to measure or understand the effectiveness of the advertising that I serve you. My lawful ground for this processing is legitimate interests which is to grow my business. I may also use such data to send other marketing communications to you. My lawful ground for this processing is either consent or legitimate interests.

I do not carry out automated decision-making or any type of automated profiling.

How I collect your personal data

I may collect data about you by you providing the data directly to me. I may automatically collect certain data from you as you use my website by using cookies and similar technology. I may receive data from third parties such as analytics providers such as Google based outside the UK and/or the EU, advertising networks such as Facebook based outside the UK and/or the EU, search information providers such as Google based outside the UK and/or the EU, providers of technical, payment and delivery services, such as data brokers or aggregators.

How I use your information when providing counselling and psychotherapy

Initial contact

When you contact me with an enquiry about my counselling services, I will collect information to help me satisfy your enquiry. This will include your name, contact details including your telephone number and email address, and the nature of your request or enquiry. Should you decide to proceed with therapy with myself I will also collect your date of birth, address, the name of the GP surgery you are registered with, and a name and telephone number for an emergency contact for you. Alternatively, your GP or other professional may send me your details when making a referral or a parent or trusted individual may give me your details when making an enquiry on your behalf.

If you decide not to proceed, I will ensure all your personal data is deleted within six months. If you would like me to delete this information sooner, just let me know.

While you are accessing counselling

Rest assured that everything you discuss with me is confidential. That confidentiality will only be broken if I am made aware of the following:

- Criminal activity, either intended or already actioned
- Risk of harm/threat to life, for either yourself or others
- Incidences involving child protection and safeguarding
- In any situation where by not reporting information I would be breaking the law

I will always try to speak to you about this first, unless there are safeguarding issues that prevent this.

I will keep a record of your personal details to help the counselling services run smoothly. These details are kept securely on a password protected computer and are not shared with any third party. I will keep notes of each session, these are kept securely on a password protected computer.

For security reasons I do not retain text messages for more than one week. If there is relevant information contained in a text message, I will store this with your notes. Likewise, any email correspondence will be deleted after one month if it is not importance. If necessary, I will store this with your notes.

After counselling has ended

Once counselling has ended your records will be kept for five years from the end of our contact with each other and are then securely destroyed. If you want me to delete your information sooner than this, please tell me.

Marketing Communications

My lawful ground for processing your personal data to send you marketing communications is either your consent or my legitimate interest (namely to grow my business). Under the Privacy and Electronic Communication Regulations, I may send you marketing communications if you made a purchase or asked for information from me about my products or services, or you agreed to receive marketing communications and in each case you have not opted out of receiving such communications since. Under these regulations, if you are a limited company, I may send you marketing emails without your consent. However, you can still opt out of receiving marketing emails from me at any time.

Before I share your personal data with any third party for their own marketing purposes, I will acquire your express consent.

You can ask me or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing messages sent to you or by emailing me at rob@robsmithpsychotherapy.co.uk at any time.

If you opt out of receiving marketing communications this opt-out does not apply to personal data provided as a result of other transactions, such as purchases.

Third party recipients of personal data

I sometimes share personal data with third parties, for example, where I have contracted with a supplier to carry out specific tasks. In such cases I have carefully selected which partners I work with. I take great care to ensure that I have a contract with the third party that states what they are allowed to do with the data I share with them. I ensure that they do not use your information in any way other than the task for which they have been contracted. These third parties include, but are not limited to:

- Microsoft Office 365
- Weebly eCommerce by Square, my website
- HMRC
- Information Commissioner's Office (ICO),
- The British Association for Counselling and Psychotherapy (BACP)
- My clinical supervisor, who is bound by the same code of conduct regarding GDPR as stated by the British Association for Counselling and Psychotherapy (BACP) ethical framework.

Your rights

I try to be as open as I can be in terms of giving people access to their personal information. You have a right to ask me to delete your personal information, to limit how I use your personal information, or to stop processing your personal information. You also have a right to ask for a copy of any information that I hold about you and to object to the use of your personal data in some circumstances. You can read more about your rights at ico.org.uk/your-data-matters.

If I do hold information about you I will:

- Give you a description of it and where it came from
- Tell you why I am holding it, tell you how long I will store your data and how I made this decision
- Tell you who it could be disclosed to
- Let you have a copy of the information in an intelligible form

You can also ask me at any time to correct any mistake there may be in the personal information I hold about you.

To make a request for any personal information I may hold about you, please put the request in writing addressing it to: rob@robsmithpsychotherapy.co.uk

If you have any complaint about how I handle your personal data, please do not hesitate to get in touch with me by email to the contact information given above. I would welcome any suggestions for improving my data protection procedures.

If you want to make a formal complaint about the way I have processed your personal information you can contact the ICO which is the statutory body that oversees data protection law in the UK. For more information go to ico.org.uk/make-a-complaint.

Data security

I take the security of the data I hold about you very seriously and as such I take every effort to make sure it is kept secure. Any paper or written documentation will be transferred to a digital format and securely destroyed as soon as possible. During this time, any paper documents will be stored in a locked drawer or filing cabinet. All digital data will be stored securely on a password protected device, that only I have access to. All devices that I use; smart phone, tablet, PC and encrypted USB drives, are password protected. All records are kept to a minimum and may include pseudonyms to keep your identity secure.

Visitors to my website

When someone visits my website, I use a third-party service, Weebly eCommerce by Square to collect standard internet log information and details of visitor behavioural patterns. I do this to find out things such as the number of visitors to the various parts of the site. This information is only processed in a way that does not identify anyone.

I use legitimate interests as my lawful basis for holding and using your personal information in this way when you visit my website.

I use Google Analytics so that I can continually improve my service to you, you can read Google's privacy notice at: policies.google.com/privacy?fg=1.

I use Weebly eCommerce by Square as the content management system for my website. For further information on this system see weebly.com/uk. Like most websites they use cookies to help the site work more efficiently. Find out about how Weebly eCommerce by Square use cookies at: squareup.com/gb/en/legal/general/cookie.

Like most websites I use cookies to help the site work more efficiently - find out about my use of cookies by reading my [cookie policy](#).

No user specific data is collected by me or any third party. If you fill in a form on my website, that data will be temporarily stored on the web host before being sent to me.

My website may, from time to time, contain links to and from websites unaffiliated by Rob Smith Psychotherapy. If you follow a link to any of these websites, please note that they will have their own privacy policies and that I do not accept responsibility or liability for the content of these sites or their policies.

Testimonies on my website have been processed for advertising purposes and prior written consent has been obtained from the individual. Where appropriate, a pseudonym has been used to protect the identity of the individual.

International Transfers

Where you are within the United Kingdom:

I am subject to the provisions of the UK General Data Protection Regulations that protect your personal data. Where I transfer your data to third parties outside of the UK, I must ensure that certain safeguards are in place to ensure a similar degree of security for your personal data. As such:

- I may transfer your personal data to countries that the relevant regulatory authorities in the United Kingdom have approved as providing an adequate level of protection for personal data by; or
- If I use US-based providers that are part of a UK regulator-approved privacy framework, I may transfer data to them, as they have equivalent safeguards in place; or
- Where I use certain service providers who are established outside of the UK, I may use specific contracts or codes of conduct or certification mechanisms approved by the United Kingdom regulators which give personal data the same protection it has in the UK.