

## **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](mailto: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 necessary for a contract with a health professional (in this case, a contract between me and you).

## **How I use your information**

### **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.

## **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](https://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](mailto: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](https://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 computer, with active antivirus protection, that only I have access to. All devices that I use; smart phone, tablet and PC, 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 do not make, and do not allow Weebly eCommerce by Square to make any attempt to find out the identities of those visiting my website.

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](https://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](https://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](https://squareup.com/gb/en/legal/general/cookie).

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.