

# Privacy Notice Jilly Whitham Counselling

## 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, and
- 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 email at [jilly.whitham@outlook.com](mailto:jilly.whitham@outlook.com).

‘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 **ZB502213**.

## 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**

I will never use your information for purposes other than administering the therapy service I am providing to you, such as rearranging and cancelling appointments. In line with guidance from the ICO, I will only retain your personal information for as long as is necessary.

## **Initial contact**

When you contact me with an enquiry about my counselling services I will collect information to help me process your enquiry. This will include:

First name and surname

Phone number

Email address

This is so that I can book your appointment into my diary, and so that I could inform you if I was unable to attend our appointment due to unforeseen circumstances.

Before commencing counselling sessions I would also collect the following information attached to my contract:

Date of birth

GP surgery

GP phone number

Emergency contact name

Emergency contact phone number.

This is so that I can contact your GP on your behalf, with your consent, should it become evident that a different type of support was necessary.

The emergency contact information is for in the event of a medical emergency occurring, as I would be unable to provide immediate assistance myself when working remotely.

Alternatively, your GP or other health 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 one month. If you would like me to delete this information sooner, just let me know.

Unfortunately, the transmission of information via the internet cannot be completely secure. I cannot guarantee the security of your data transmitted to myself, particularly by email; any transmission is at your own risk. Once I have received your information, I will use my own policies and procedures as far as is reasonably possible to prevent unauthorised access. This

includes encrypted and password protected digital storage as well as deleting emails after a maximum of one month (after relevant information has been stored).

### **While you are accessing counselling**

Your email address or phone number will be used to provide you with written confirmation of appointment times, if you have given consent for this. Your email address and phone number will only be used for the purposes of contact to arrange appointment times, unless we have also agreed that I use your email address to email you information such as resources relevant to your therapy sessions. Everything you discuss with me is confidential. I am a Registered Member of the British Association of Counselling & Psychotherapy (BACP) and I abide by their professional code of ethics. Confidentiality will only be broken if there are legal or ethical obligations to disclose, for example, if you disclose abuse/neglect of a child or vulnerable adult, or say something else that implies serious harm to yourself or others, or if a court of law requires me to disclose information.

In the event that confidentiality must be broken 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 in a password-protected folder on a password protected PC with an encrypted hard-drive and are not shared with any third party. I will keep brief word-processed notes for each session to facilitate my ability to keep track of the issues we are working on. These are my use only and are kept separately from personal details, labelled with a client reference code rather than your name. These are also kept in a password protected folder on a password protected PC.

### **After counselling has ended**

Once counselling has ended your records will be kept for seven 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 share a limited amount of 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.

### **Your rights**

I am 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 <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 mistakes 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 [jilly.whitham@outlook.com](mailto:jilly.whitham@outlook.com).

If you have any complaint about how I handle your personal data please do not hesitate to get in touch with me by emailing to the contact details 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 <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. I only use password protected devices, my PC has an encrypted hard-drive. I keep anti-virus software up-to-date and store data and notes in password protected folders.