



## Hearts and Minds Counselling 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, and
- Your data protection rights.

I am happy to chat through any questions you might have about my data protection policy and you can contact me via email at [esmay@heartsandminds-counselling.co.uk](mailto:esmay@heartsandminds-counselling.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, reference number ZB649982.

My postal address is: Hearts and Minds Counselling, Independence House, Lindley, Holly Bank Road, HD3 3LX. My phone number is: 07842 721471. My email address is: [esmay@heartsandminds-counselling.co.uk](mailto:esmay@heartsandminds-counselling.co.uk)



## **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 consent initially. I will then retain any counselling records in case of the need to reference them in the future (the official legal basis is to defend against potential legal claims).

## **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 name, contact details (phone number and/or email address), brief details on presenting issues, any relevant medical information (such as current medications for mood modification) and what you hope to gain from attending counselling. 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 12 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:



- You or others are, in the opinion of the therapist, seem to be in danger or at serious risk of being harmed
- The therapist is required to do so by subpoena (Court order or instructions from a coroner)
- The client infers involvement in or knowledge of an act of terrorism or of money laundering
- The client infers knowledge of or involvement in drugs trafficking
- The client infers knowledge of or involvement in behaviours that may, in the therapist's opinion, lead to harm or neglect to children and vulnerable adults

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 dual password protected file on an external hard drive and are not shared with any third party. I will keep written notes of each session, these are kept on the aforementioned password protected hard drive.

For security reasons I do not retain text messages for more than 12 months. If there is relevant information contained in a text message I will transfer this to a file and save to a password protected hard drive which is not accessed by any third party. Likewise, any email correspondence will be deleted after 12 months if it is not important. If necessary I will transfer to a file, as stated above.

### **After counselling has ended**

Once counselling has ended your records will be kept for 7 years from the end of our contact with each other and are then securely destroyed. In the case of clients under 18, records are kept for 7 years after the child turns 18. 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. This includes my website developers (webhealer.net), Zoom Inc for online appointments, the Information Commissioners Office (ICO), HMRC and my accountants (Wheawill and Sudworth, Huddersfield). 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. In all these cases, names are not provided and the third party will only be provided with a non-identifiable reference code for each client.

## **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 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 [esmay@heartsandminds-counselling.co.uk](mailto:esmay@heartsandminds-counselling.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 writing or 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 [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. All digital data (consisting of session notes and invoices) is kept in a password protected file, which is stored on a password protected external hard drive which no third party has access to. All paper data (which consists of the completed initial assessment form and signed initial contract) is kept in locked storage, to which no third party has access to.

## **Additional information for website owners and employers**

### **Visitors to my website**

When someone visits my website, I use a third party service, webhealer.net to collect standard internet log information and details of visitor behaviour 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 webhealer.net 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 Analytics privacy notice here <https://policies.google.com/technologies/partner-sites> . I use WordPress as the content management system for our website - find out about WordPress and data protection: <https://wordpress.com/support/your-site-and-the-gdpr/>. Like most websites we use cookies to help the site work more efficiently - find out about our use of cookies <https://heartsandminds-counselling.co.uk/wp-content/uploads/sites/105/2024/06/Cookies-Policy-Updated-2024.pdf>. For reference see [bacp.co.uk/notices/cookies](http://bacp.co.uk/notices/cookies). 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.