

Privacy and Data Processing Notice

- I, B Clare Scudds (trading as BCS Counselling), am registered with the Information Commissioner's Office (ICO) as a data controller under registration number Z1222791.
- This notice applies to all clients and potential clients (data subjects) whose data is processed within BCS Counselling, setting out why and how I will collect, store and use your data and how and when it will be destroyed/deleted, in accordance with the requirements of UK General Data Protection Regulation (UK GDPR) and the Data Use and Access Act (DUAA).
- You can find more information about UK data protection law on the ICO's website, ico.org.uk
- The personal data collected from you will be used for the purpose of working with you in a therapeutic relationship so that I can fulfil my responsibility to you.

Lawful Basis

- Under UK data protection law, the collection and use of your data must have a lawful basis. The applicable lawful bases to this agreement are as follows:
 - Consent: you have given permission for me to collect and use your data after I gave you the relevant information.
 - Contract: in order to fulfil my responsibilities as a counsellor in line with the requirements of my insurance provider and professional bodies in providing a counselling service to you and dealing with queries, complaints or claims, I need to collect and record information about you and your counselling sessions.
 - Legitimate interests: I'm collecting or using your information because it benefits you without causing an undue risk of harm to anyone. Processing your information helps me make sure you get the support and service you need if you come to me for counselling.
- All information is provided voluntarily by you, but without it counselling may not be able to proceed.

What Information I Collect

- "Basic Information" refers to your name, contact details, date of birth and GP details. I may also collect information regarding work status and relationship status.
- "Sensitive Information" refers to medical information and aspects of personal, social and family history. It also refers to the brief, factual notes I keep of each counselling session, including agreements regarding changes to timings of sessions or to the way counselling is conducted. These notes assist with review and supervision. Sensitive information is kept under a unique code, identifiable only to me.

- Some of the information you may provide to me is regarded as special category information. This includes racial or ethnic origin, religious or philosophical beliefs, health information, sex life information and sexual orientation information.

Storage of Your Information

- Electronic copies of information will be stored in a password protected encrypted file on my PC, which has antivirus and firewall software installed.
- Physical/hard copies of information will be stored in a locked filing cabinet.
- Identifying information (name, date of birth, contact details, etc) will be kept separately from sensitive information (history, session content, communication records, etc). Current medical information will be kept with your identifying information for use in case of an emergency.
- I will also hold your name and contact details on my PIN/biometrics protected mobile phone and on my password protected work email account.
- Records of other contact between us, e.g. emails, will be kept with your session notes. Identifying information, e.g. name, number, email address, will be redacted.

How Your Information Is Used

- Your name and contact information may be used to contact you during the course of your counselling such as regarding practical arrangements, and for any follow up after the end of therapy, if agreed. It may also be used, alongside your date of birth, to verify your identity if there is a need to contact your GP or a request for access to your personal data from yourself, your representative or a legitimate legal instrument, such as court order, or if you make a complaint.
- In case of an emergency, and only when necessary, your medical details may be provided to emergency responders.
- In the event that I am incapacitated, your name and contact details will be shared with an executor of my clinical will, so they can inform you of the situation and assist you in sourcing alternative help if required.
- Unless ethically or legally required, the content of your sessions and correspondence will not be shared with a third party except with my supervisor, professional body or similar for purposes of maintaining professional standards and aiding my professional development, for example as part of professional training. Your identity will remain confidential and information shared will be limited to what is beneficial for the purposes stated.
- I may make information from session notes available to legitimate third parties under the following conditions:
 - Receipt of a written request from you or your representative, and where the release of the notes is not judged by me as likely to cause significant harm to you or another person.
 - Where there is a specific legal requirement for me to do so. This may be related to disclosures regarding acts of terrorism, drug trafficking, money laundering and other serious crimes. In rare cases, information can be subpoenaed by a court of law.

- Where there is an ethical duty for me to do so, for example to avoid serious harm to you or another person, including the safeguarding of children or vulnerable adults. This may include contacting your GP and/or emergency services.
- Whenever possible, and unless legally prevented, I would discuss with you any need to break confidentiality prior to taking action. I would also seek advice from my supervisor, insurance provider and professional bodies.

Deletion/Destruction of Your Information

- Terms of confidentiality remain applicable after our counselling arrangement ends.
- Your contact details will be deleted from my phone and any contact lists once sessions and any agreed follow-up are completed but will be retained in hard copy.
- Your personal information and session notes will be held for a period of seven years after the cessation of counselling or until you are 21, whichever is longer, and then securely deleted/destroyed.
- Please note: if, following your initial assessment session, you do not book in any further sessions, I will destroy any information collected about you after one month.
- This applies except where I agree with you to retain them for longer or where I believe that it is in my best professional interests to do so.

Your Rights

- You have data protection rights. These include:
 - Your right of access: you have the right to ask to see any information I hold about you. To do this, please submit a request in writing, known as a subject access request. I will respond to any request without undue delay and within 30 days.
 - Your right to rectification: you have the right to ask for information that you believe to be inaccurate or incomplete to be corrected or deleted.
- There are exemptions to these rights due to the lawful bases for information processing and the ethical and legal requirements of counselling.
- Please see the ICO's website for more information.
- In the unlikely event that your personal information is breached in any way, I will notify you within 72 hours. If required, the ICO will also be informed.
- If you are concerned about my handling of your information, you can make a data protection complaint via email on clare@bcscounselling.co.uk or phone on 07910918410. I will acknowledge the complaint within 30 days and will then investigate and respond without undue delay. I will keep you updated regarding the progress and outcome of your complaint.
- If you remain unhappy after raising a complaint with me, you can also complain to the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Helpline Number: 03031231113. Website: www.ico.org.uk/make-a-complaint