

## PURPOSE OF PRIVACY NOTICE

The processing and protection of your personal data is governed by the General Data Protection Regulation 2016/679 (the GDPR). This legislation replaces current data privacy law, giving more rights to you as an individual and more obligations to organisations holding your personal data. This new legislation comes into effect on 25<sup>th</sup> May 2018.

As a Psychotherapist and Counsellor I want everyone who comes to me for support, to feel comfortable and confident, with how any information you share with me will be looked after and used. This Privacy notice will give you information as to the way in which I use, share and store your personal information along with information about the increased rights you have in relation to the information I hold on you and the legal basis on which I am using it.

## WHO ARE WE?

For the purpose of Data Protection Act 1998 and General Data Protection Regulation 2018 Beverly Franks is the data controller of Beverly Franks Counselling & Psychotherapy. This means that I am responsible for how your personal and sensitive data is processed and for what purposes. If you have difficulty understanding this information or want to ask more questions, please contact me using the contact information below:

**ICO Number ZA361206**

E-mail: [beverly@gloscounselling.care](mailto:beverly@gloscounselling.care)

Telephone: 07821 691 728

## WHOSE INFORMATION DOES THIS PRIVACY NOTICE APPLY TO?

This privacy notice applies to information I collect from:

- Patients/clients; prospective patients/clients; former patient/clients
- Visitors to my website [www.gloscounselling.care](http://www.gloscounselling.care)

## WHAT DATA DO I COLLECT?

The information I collect is both of a personal and sometimes of a sensitive nature.

### WHAT IS PERSONAL DATA?

Personal data relates to any data that is capable of identifying an individual wholly or partly through automated means or manually as part of a filing system. Examples of personal data I may hold about you include:

- First name or given name
- Family name or surname
- Address
- Telephone numbers
- Date of birth
- Cookies and IP addresses on my website *(For details of these please see Privacy Policy on my website [www.gloscounselling.care](http://www.gloscounselling.care))*

### WHAT IS SENSITIVE PERSONAL INFORMATION?

Special category data is sensitive data consisting of racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data, data concerning health or data concerning a natural person's sex life or sexual orientation.

I collect some special category data that is relevant to the issues you present in the course of the Counselling and Psychotherapy, healthcare services that you have contracted me to carry out on your behalf. Examples of some of the sensitive information I may gather is:

- Gender, ethnicity and marital status
- Religious or other cultural beliefs
- Physical or mental health or condition
- Sexual orientation and or data related to your sex life.
- Your Doctors details and any medication you are taking.

## WHAT PURPOSE DO I COLLECT YOUR DATA?

### PERSONAL DATA

- I collect your name, telephone number, and e-mail address, to engage in the Counselling and Psychotherapy work that you have contracted me to carry out on your behalf. These details are logged on a paper client contact form.
- I use these contact details to engage in my work with you according to our contract and in relation to appointments and billing information.
- My website is protected by SSL so that the email content is encrypted before being sent over the internet. (Please see website Privacy Policy for further details)I collect cookies and IP addresses when you visit my website [www.gloscounselling.care](http://www.gloscounselling.care) . Please see website Privacy Policy for further details. I keep a copy of your signed counselling contract and Privacy statements to secure evidence in the event of a civil claim, criminal prosecution, insurance claim or complaint.

### SENSITIVE DATA

- On Your introductory appointment I collect your Doctors, Name, Address and contact details on a paper client contact form for safety purposes. I would only use these details if you ask me to contact your GP on your behalf or for any other safety reasons where I might need to break our confidentiality agreement as stated in your Counselling and Psychotherapy contract. In Usual circumstances, outside of the issues stated for breaking of confidentiality in your contract, I would discuss and include you in any communication with your GP.
- I keep a log of any medication you are taking to support the provision of Psychotherapy and Counselling health care services that you have contracted me to provide on your behalf.

- I keep brief notes recording the themes of our counselling sessions, your client number and the date and time of your session, where, processing is necessary for the exercise or defence of legal claims. This is to secure potential evidence in the event of a criminal prosecution, civil litigation, insurance claim or complaint to my regulatory body UKCP. These notes are a mandatory requirement of my insurance company and stated in the code of ethics and professional standards by my professional licensing body UKCP. Please see link for further information. <https://www.psychotherapy.org.uk/wp-content/uploads/2017/11/UKCP-Ethical-Principles-and-Code-of-Professional-Conduct.pdf>
- I log some sensitive data that is relevant to the themes you explore in the session where processing is necessary for the purpose of providing Counselling and Psychotherapy healthcare that you have contracted me to provide on your behalf.
- I do not make or keep process notes.
- As a Counsellor and Psychotherapist who occasionally uses creative interventions, I want to ensure you know that any drawings or art done in session is yours. I will store this material safely and dispose of it in a timely manner. I will never use any of your data/artworks for writing, publishing, research or training purposes.

YOUR CLIENT RECORDS CONTAIN NO PERSONAL INFORMATION  
AND ARE IDENTIFIABLE BY CLIENT NUMBER ONLY.

HOW I STORE YOUR INFORMATION?

- Your paper client contact form is stored in a locked filing cabinet and is separate to your client case notes.
- Your client case notes are marked with a client case number only (No personal identifiable information is included in your notes). They are stored in a locked filing cabinet.
- I keep a record of all appointments in my Filofax. You are recorded as a case file number to protect your identity in case of loss or theft. When not in use it is stored in a locked filing cabinet.
- All communications by E-mail, post, text, Facebook messenger and LinkedIn that are sent between us are recorded in your case note and then deleted immediately from the platform used.

- My mobile phone 07821 691 728 is used solely for my Counselling and Psychotherapy Practice. It is password protected and a pin number is required to access voicemail messages. All messages voice and text are recorded in your case note and then deleted immediately.
- I keep a copy of your signed counselling contract and Privacy statements in a locked filing cabinet to secure evidence in the event of a civil claim, criminal prosecution, insurance claim or complaint.
- Details of how IP addresses and cookies are collected and stored on my website: [www.gloscounselling.care](http://www.gloscounselling.care) can be found on my Website Privacy Policy. You will be consenting to this policy should you use the website, business Facebook page or LinkedIn.
- I store financial information on QuickFile for accounting purposes. Any invoices generated will contain your client number and e-mail address. QuickFile complies with GDPR compliance.

## SHARING YOUR PERSONAL DATA CONFIDENTIALITY

All our work together is confidential and I will not disclose any information about you to a third party without your consent subject to the following exceptions:

- As a member of UKCP it is a requirement that I have regular supervision with a registered supervisor of Counselling and Psychotherapy. This is to support me in my work with you and ensure that I work to your best interests. At such times the only identifiable information they receive is your first name. All supervisors are also bound by confidentiality rules.
- As a member of UKCP it is a requirement of accreditation that I have a therapeutic will with a named executor. My supervisor is currently my executor and would contact you in the unfortunate case of my demise or illness. He has my instructions on closing down my therapeutic practice which includes destruction of case notes and contact details by shredding.
- Some laws in certain circumstances require me to break confidentiality such as the Terrorism Act and Drug Trafficking Act. In certain circumstances I am required to break confidentiality without informing you.
- If I believe you or someone else is at risk I would inform your doctor or the police if necessary to protect yours or another person's life. I would endeavour wherever possible to inform you in advance.
- Where necessary or required with other health care professionals (usually only with your consent).

- If the information given to me about a child or vulnerable adult is of a safeguarding nature and leads me believe that they are at imminent risk. I would notify the relevant authority. I would endeavour wherever possible to discuss with you in advance.
- If I am required to do so in the course of a police investigation or I am required to answer questions in court.
- With my regulatory body, (UKCP), or my insurance company in the event of a complaint or insurance claim being brought against me;
- My solicitor in the event of any investigation or legal proceedings being brought against me.

### I USE THIRD PARTIES TO RUN AND MAINTAIN MY BUSINESS

- QuickFile for financial records
- Cashtrac Accountancy for accounting purposes

In both cases only your case number and e-mail addresses are visible. Both organisations are GDPR compliant and therefore will not share your e-mail addresses with any other party.

- Google analytics and cookies on my website [www.gloscounselling.care](http://www.gloscounselling.care), Google my business, yell.com and my Facebook business page: Beverly Franks – Gloucestershire Counselling Care (Please see website Privacy Policy for further details).

### HOW LONG DO I KEEP YOUR PERSONAL AND SENSITIVE DATA FOR?

- I do not keep your personal data for longer than reasonably necessary.
- Paper Contact details are stored for a period of 5 years in accordance with the terms of my malpractice and professional indemnity insurance, after which they are shredded.
- Client case records are transferred onto a memory stick after you cease working with me. They are password protected and kept for a period of 5 years in accordance with the terms of my malpractice and professional indemnity insurance, after which they are deleted. The memory stick is kept in a locked filing cabinet.
- E-mails, Facebook communications are recorded in your case note and then deleted from the system immediately.
- In the event of my demise or illness I have instructed the therapeutic executor of my living will (My supervisor) to delete data, shred case notes and close down my website, Facebook and phone contract after contacting you the client.

- Privacy Policies and contracts are revised and updated from time to time and you will be notified of any changes. They are kept for a period of 5 years and then shredded.
- Data is checked on a monthly basis and out of date notes shredded or deleted.

## YOUR RIGHTS AND YOUR PERSONAL DATA

- You have the right to request a copy of your personal data which I hold about you. I am happy to discuss this with you in a session.
- You have the right to request that I correct any personal data, if it is found to be inaccurate or out of date. Please contact me with any changes.
- You can also ask me to delete all/any of the information that I hold. There are however, some details I need to keep due to legal and professional obligations.
- Case notes and client contact forms are exempt from erasure as a) processing is necessary for performance of your counselling contract which was discussed with you at your introductory session and an agreement of our working together and b) processing is necessary for compliance with a legal obligation to which I am subject. See 6b, c of GDPR compliance. Please do not hesitate to discuss this further with me if you have any queries or questions.
- Please see my website Privacy Policy for information on deleting and managing cookies on my website [www.glocounselling.care](http://www.glocounselling.care).

## DATA BREACHES

I will report any data breach to the Independent Commissioner and to yourself within 72 hours if it becomes apparent that any data is stolen. My data protection registration reference is ZA361206.

## COMPLAINTS

If you wish to complain about how I hold your data in any way then in the first instance please contact me Beverly Franks who is the data controller of business name Beverly Franks Counselling and Psychotherapy, Beech Cottage, Newtown, Stonehouse, GL10 3RW. If you have any further concerns which are not addressed then you should contact Information Commissioner's Office at <https://ico.org.uk/make-a-complaint/handling/> or 0303 123 1113.

BY ENGAGING IN COUNSELLING AND PSYCHOTHERAPY SERVICES WITH  
BEVERLY FRANKS COUNSELLING & PSYCHOTHERAPY YOU ARE  
ACCEPTING AND CONSENTING TO THE DATA PRIVACY POLICY AND  
PRACTICES DESCRIBED IN THIS POLICY.YOUR AGREEMENT



Please sign below to indicate that you have read, understood, discussed and accept the **Privacy Statement** of **Beverly Franks Counselling and Psychotherapy** as laid out in this policy.

Signed: ..... Dated: .....

Signed: ..... Dated: .....

I consent to Beverly Franks Counselling and Psychotherapy Processing your **Personal Information** as is necessary for the performance of your counselling contract to which you the data subject has agreed.

Signed: ..... Dated: .....

Signed: ..... Dated: .....

I consent to Beverly Franks Counselling and Psychotherapy Processing of **Sensitive Information** as is necessary for the performance of your counselling contract to which you the data subject has agreed.

Signed: ..... Dated: .....

Signed: ..... Dated: .....

Last revised on 14/06/2018