

# Hannah Russell Counselling - Privacy Policy

## Introduction

In line with General Data Protection Regulations (GDPR; 2018) and the National Counselling Society's Code of Ethical Practice<sup>1</sup>, this policy outlines how, as a Data Controller, I collect, store and use your information and how I protect your privacy and data rights.

The legal basis for processing your personal data is as follows:

- Legal obligation – where processing is necessary for compliance with a legal obligation.
- Legitimate interest – where processing enables me to counsel you effectively.
- Vital interest – where processing is necessary in order to protect the vital interests of you or of another natural person.

## 1. What types of information do I hold and how do I use it?

### 1.1 Initial Enquiry

If you send me an email, text or call my phone with an enquiry about my service I will use this, and any further information you provide, to understand your needs, answer any questions you might have.

If you have placed an enquiry about my service via a third-party website, I will use this, and any further information you provide, to understand your needs and to respond, answering any questions you may have. If you make an enquiry about my service via a third-party website, you have given me consent to contact you via the contact details you have shared.

Depending on how you contacted me, the information you have shared with me is stored either within my password-protected email account and/or within my password-protected mobile phone and/or personal computer. I delete all enquires and contact details provided, along with any response/s to those enquiries, no longer than one month after the last enquiry contact, including whether we go on to work together or not.

### 1.2 Ongoing Counselling

In order to confirm an Initial Consultation appointment I require receipt of a completed and signed Client Information Form for each client along with a signed Working Agreement for either each individual client (individual counselling) or for each couple (couple counselling).

Information requested within the Client Information Form is as follows:

- Biographical information: your first name, last name, gender and date of birth.
- Contact details: postal address, email address and phone number/s.
- Emergency contact details and GP contact details.

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<sup>1</sup> <https://ncps.com/assets/uploads/docs/cs/NCPS-Code-of-Ethics-Nov-23.pdf>

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I use this information to:

- Contact you about my service via agreed methods of communication. This may include making, confirming and changing appointments, sending invoices, communicating with regard to any queries that arise from our work together.
- Contact you to update you with information about my service and/or to provide you with information about external services/organisations during the course of our work together.
- Run my business; for example, to generate and sending invoices and appointment details, recording payment for tax purposes.
- Ensure that I have appropriate emergency and healthcare provider contact details for you.

The information provided within your signed Client Information Form is inputted into BACPAC<sup>2</sup> and allocated a pseudonymised case number. BACPAC is a secure client management and record-keeping software system designed for use by counsellors and psychological therapists. The original copy of the signed Client Information Form is uploaded to BACPAC as a document and stored as part of your case file.

Your signed, named and dated Working Agreement is also uploaded to BACPAC as a document and stored as part of your case file.

During the Initial Consultation appointment I will ask you questions which help me to understand whether I am best placed to support you; including about your health and relationship/s, what has brought you to counselling and what you hope to gain from it. I take anonymised notes and, if we agree to work together as a result of the Initial Consultation, I continue to take anonymised notes during all subsequent counselling sessions. These are called casework notes. After each appointment I transfer the content of handwritten casework notes onto your case file in BACPAC. The original, handwritten casework notes are stored securely in a locked filing cabinet until securely disposed of within 24 hours of your appointment.

Your BAPAC case file is kept for seven years in line with professional standards.

An electronic diary of your appointments with me (detailing pseudonymised case number, date and time) is held within my password-protected computer and kept for no longer than two weeks after the end of the month in which each appointment was held.

Any emails, texts or voicemails received from you relating to the arrangement of appointments, payment of invoices or providing other information, along with any responses, are deleted within one month of receipt. If they contain important information this may be saved as a record within your BACPAC case file.

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<sup>2</sup> BACPAC has been developed in association with the [British Association for Counselling and Psychotherapy \(bACPAC.co.uk\)](http://bACPAC.co.uk) and has been vetted by the NHS for hosting confidential medical information as outlined here: [bACPAC - Security \(bACPAC.co.uk\)](http://bACPAC.co.uk) BACPAC's Privacy Policy can be found here: [bACPAC - Privacy Policy \(bACPAC.co.uk\)](http://bACPAC.co.uk)

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## **1.3 Financial Information**

Your invoices are generated and stored on my password-protected computer and are pseudonymised via use of your case file number and date of appointment.

Payment for appointments made directly from your bank account to my bank account via electronic transfer may mean that your name and payment details are listed within the record of transactions in my account statements. I am not responsible for how your personal or payment details are used, stored or protected by my banking provider as a result of you sharing them with them as part of the electronic transfer of funds process.

SAGE provides secure, web-based, two-stage password-protected accounting software which is recognised by HMRC. I use my SAGE account to support my financial reporting obligations in line with HMRCs Making Tax Digital requirements and this includes;

- the uploading of your pseudonymised invoices to my SAGE account.
- the electronic linking of my bank account to my SAGE account via a secure connection.

If your name and payment details are listed within my bank account statements, they will also be stored within my secure SAGE account. SAGE's privacy policy can be accessed here: <https://www.sage.com/en-gb/legal/privacy/> Please be aware that I am not responsible for how SAGE store, use or protect your personal details.

No information that could identify you will be shared with HMRC as part of my financial reporting obligations.

I am required to keep financial records for seven years.

## **2. Confidentiality**

### **2.1 Exceptions to confidentiality**

Confidentiality is an important feature of our working alliance and will be maintained in accordance with General Data Protection Regulation (GDPR; 2018) and the National Counselling & Psychotherapy Society's Code of Ethical Practice. Exceptions to confidentiality are as follows:

- It is a professional requirement of the National Counselling and Psychotherapy Society's Code of Ethical Practice that I have regular supervision. When I discuss casework during supervision, I have a duty to keep references to your material anonymous. I will add any notes taken by me during supervision directly to your BACPAC case file. I am not responsible for any notes that my supervisors may take, keep and store as a result of the supervision process. However, my supervisors are also appropriately qualified and accredited professionals, abiding by their accrediting organisation's standards for confidentiality.
- I belong to a peer support group comprised of similarly qualified relationship counsellors who are also bound by strict confidentiality rules. I discuss casework within this group in order to gain other professional views which helps to support and develop my own practice. When discussing casework I do so using anonymised information and do not disclose information that would enable you or others to be identified. If you would prefer that your material is not discussed within my peer support group, please let me know prior to us working together.
- If I am concerned that you or someone else may be at significant risk, I may need to share information that you have shared with me with external agencies; e.g.; your

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GP, the Police or local Children's Services. Wherever possible, I would discuss this with you first unless I felt that this would increase the risk.

- When working with couples, sometimes it can be helpful to have some individual appointments as part of the initial consultation process or ongoing couple counselling. If this is something we agree to then all information shared by you within individual appointments will be confidential within that session (except in the case of significant risk, as outlined in the paragraph above) and will not be shared with the other member of the couple unless:
  - I have sought express permission to do so with the relevant individual.
  - It is raised by the individual themselves in future couple appointments; in which case I would take that individual's lead.

When working with couples, all communication outside of appointments should be three-way between myself and both members of the couple, unless there are safety concerns.

- In line with good practice in the profession I have appointed a qualified counsellor as my professional executor. In the event of my illness or sudden death during our work together they would be given access to your name and contact details only. They will then contact you to inform you and to support you to find a new therapist if you wish.
- Some laws require me to break confidentiality in certain circumstances, e.g.; Children Act (2004), Terrorism Act (2000), Drug Trafficking Act (1994) Modern Slavery Act (2015). Wherever possible, I would aim to discuss any sharing of information with you in advance.
- I am compelled to provide evidence by a court of law; to release my records or to give evidence. Wherever possible, I would aim to discuss any sharing of information with you in advance.
- If you are being treated by your GP and/or working with another mental health professional (such as an individual counsellor) regarding issues relating to your emotional health and wellbeing, it is important that you inform them that you are working with me and me that you are working with them, including sharing with me information about any medication that may impact on our work. If we find that there is a need for me to communicate with your GP or other professional, I will only do this with your knowledge and permission (except in the case of significant risk, as outlined above).

## 2.2 Permissions

I will seek your permission to:

- Share information outside of the exceptions detailed above in the 'exceptions to confidentiality' section.
- Use your anonymised details for continued professional development (case studies or training).
- Publish any marketing material such as case studies or testimonials, ensuring the use of anonymisation throughout.

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## 2.3 Requesting to see your data

You have the right to ask for a copy of the information I hold about you, free of charge, unless I am prevented from doing so for legal reasons. You would need to request this information in writing and I aim to provide it in digital form within 28 days of receiving your request.

In couple counselling, my contract is with you both as a couple. If one client requests a copy of the case file notes held by me in relation to your couple work, they can only request information that relates to themselves, unless the second client gives consent. If one partner does not consent, all information relating to them will be redacted.

## 2.4 Controlling your personal information

You are free to restrict the collection or use of your personal information in the following way:

If you have previously agreed to me using your anonymised personal information for continued professional development or marketing material you may change your mind at any time by emailing me at [hannah@hannahrussellcounselling.co.uk](mailto:hannah@hannahrussellcounselling.co.uk)

I aim to keep your personal data up to date while we work together. If you believe that any information that I hold about you is incorrect or incomplete, please email me at [hannah@hannahrussellcounselling.co.uk](mailto:hannah@hannahrussellcounselling.co.uk) and I will correct any information found to be incorrect. You may ask me to delete information that I hold about you. I will do this except for any information that I need to hold for legal, insurance or business purposes.

## 2.5 If you have concerns about how I hold your data

I am registered with the Information Commissioner's Office (ICO) as the Data Controller; registration number ZB204169. If you are concerned about how I hold your data, in the first instance please contact me. If you then have concerns which you feel have not been addressed, please contact the ICO at <http://ico.org/concerns/handling/>

Should there be a data breach I will report this to the ICO and yourself within 72 hours.

# 3. Information Technology

## 3.1 Website, phone, text, email and third-party website communication

By visiting the [hannahrussellcounselling.co.uk](http://hannahrussellcounselling.co.uk) website you accept and consent to the terms described in this privacy policy. [hannahrussellcounselling.co.uk](http://hannahrussellcounselling.co.uk) is hosted by Wordpress and you can see their privacy policy here: <https://en-gb.wordpress.org/about/privacy/>

Transmission of data and information via my website is not a secure or encrypted transmission method for sending your personal data, unless otherwise indicated on the website.

Information sent or received to and from my password-protected email account and mobile phone (via text, talking or voicemail) are also not secure transmission methods for sharing your personal data.

Your attention is therefore drawn to the fact that, any information and personal data carried by the above means is not secure. Information and personal data may be intercepted, lost, corrupted or accessed by other people.

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If you have contacted me via a third-party website, I am not responsible for how your personal data is transmitted, used, stored or protected by that third-party.

## **3.2 Cookies**

Cookies are small pieces of data, stored in text files, that are stored on your computer or other devices when websites are loaded into a browser. They are widely used to 'remember' you and your preferences, either for a single visit (through a 'session cookie') or for multiple repeat visits (using a 'persistent cookie'). They ensure a consistent and efficient experience for visitors and perform essential functions such as allowing users to register and remain logged in. Cookies may be set by the site that you are visiting (known as 'first-party cookies'), or by third parties, such as those who serve content or provide advertising or analytics services on the website ('third-party cookies').

For further information about WordPress cookies please visit: <https://en-gb.wordpress.org/about/privacy/cookies/>

## **3.3 Google Analytics**

Each time you visit a website Google analytics automatically tracks information such as (but not limited to) your geographical location, IP address, browser type, browser version, operating system, referral source, page views, length of visit, the times and dates you visit the site, navigation paths, whether you are a new visitor or a returning visitor. The information provided by Google Analytics may be used to improve the website and services I offer. Information about Google Analytics opt-out can be found here:<https://tools.google.com/dlpage/gaoptout>

## **3.4 Computer Hardware**

When hardware used to manage and administrate Hannah Russell Counselling (e.g.; personal computer and mobile phone) are decommissioned, this will be managed in a way that will ensure no data breaches can occur. In the case of my personal computer, I will remove the hard drive and have it securely destroyed. In the case of my mobile phone, any SIM cards will be securely destroyed and the phone returned to factory reset settings.