**Willow Counselling Ltd Privacy Notice**

**Introduction**

To provide you with the very best possible service, we need to hold certain information about you including your personal contact details; this is known as personal information. We also need to maintain brief records of your therapy sessions; these are known as process notes.

Your privacy is very important to us, and you can be confident that your personal information and process notes will be kept safe and secure, and will only be used for the purposes for which they were provided or created. We 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 we will do with your personal information and process notes from initial point of contact up to and after your therapy has ended, including:

• Why we can process your information and what purpose we are processing it for

• Whether you must provide it to us

• How long we store it for

• Whether there are other recipients of your personal information

• Whether we do automated decision-making or profiling, and

• Your data protection rights.

We are happy to chat through any questions you might have about our data protection policy, and you can contact Malcolm Poole, the person responsible via willowcounsellinguk@gmail.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 Willow Counselling Ltd.

We are registered with the Information Commissioner’s Office, registration number ZB394949. Our postal address is: 22 Tilmire Close, Fulford, York. YO10 4NG. Our phone number is: 07723 035656. Our email address is: willowcounsellinguk@gmail.com.

**Our lawful bases for holding and using your personal information.**

The GDPR states that we must have a lawful basis for processing your personal data. There are different lawful bases depending on the stage at which we are processing your data. We have explained these below:

If you have had therapy with us and it has now ended, we will use legitimate interest as our lawful basis for holding and using your personal information.

If you are currently having therapy, or if you are in contact with us to consider therapy, we will process your personal data where it is necessary for the performance of our contract.

GDPR also makes sure we look after any sensitive personal information you may disclose to us appropriately. This type of information is called ‘special category personal information’. The lawful basis for us processing any special categories of personal information is that it is for the provision of health treatment (in this case counselling) and necessary for a contract with a health professional (in this case, a contract between you and us).

**How we use your information**

**Initial contact.**

When you contact us with an enquiry about our counselling services, we will collect information to help us satisfy your enquiry. This will include personal identifiers, contacts, and characteristics. i.e., title, name, address, telephone numbers, email address and preferred contact methods. It will also include the details of a nominated emergency contact, name, telephone number and email address.

Alternatively, your GP or other health professional may have sent us your details when making a referral, or a trusted individual may have given us your details when making an enquiry on your behalf. The personal information of the GP/trusted individual will be recorded by us.

In certain circumstances, an employer may send us your details when making a referral. The personal information of the employer will be recorded by us.

If you decide not to proceed, we will ensure all your personal data is deleted within one month of your final contact with us. If you would like us to delete this information sooner, just let us know.

**While you are accessing counselling.**

Rest assured that everything you discuss with us is confidential. Joanne Poole, our counsellor, is a member of the British Association of Counselling & Psychotherapy (BACP), and she works in accordance with the BACP’s Ethical Framework.

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 us to disclose information.

If confidentiality must be broken, we will always try to speak to you about this first, unless there are immediate safeguarding concerns that prevent this.

We will keep a record of your personal information to help the counselling services run smoothly. These details are kept securely stored in a locked secure filing cabinet at our registered office.

Where information is received and/or stored on any electronic equipment e.g., email accounts, mobile phones, and laptops, then all this equipment is password protected and has anti-virus software.

For security reasons we do not retain text messages or emails for more than one month unless they contain relevant information. If it is necessary to retain the relevant information, we will print the text message/email and store them securely in a locked filing cabinet.

We will keep process notes of each session. These process notes will be stored in a separate locked, secure filing cabinet at our registered office. Again, these notes are treated as being confidential unless there are grounds for breaking that confidentiality as detailed earlier.

**After counselling has ended.**

Your personal information is confidentially destroyed on ending your therapy sessions.

Please note that we keep a record of your name, date of birth and your client reference number for seven years after therapy ends. Your client reference number corresponds with a client reference number on your process notes and therefore enables us to identify your process notes if necessary.

There are reasons why counsellors are required to keep records after therapy has ended. For example, in the case of financial transactions, personal information must be retained for as long as legally required in respect of tax or accounting purposes.

Retaining your process notes ensures that we can continue to offer you an efficient service if you make contact after therapy has ended. Your process notes do not include any personal details that could be used to identify you, and these continue to be stored securely in a locked filing cabinet for seven years after therapy has ended. Your process notes will be confidentially destroyed at the end of this seven-year period

**Third Party recipients of personal data**

We may share your personal information with a strictly limited number of third parties to provide therapy services to you and to fulfil legal obligations in respect of tax and accounting purposes. For example, our accountant is permitted access to our invoices to ensure we comply with our obligations to HMRC.

If your appointments are paid for or arranged via a third party, for example, your employer we may share details of the dates of attendance and non-attendance for invoicing and payment purposes. Details about what is discussed in your appointments will remain confidential and can only be shared if you give us your written consent to do so.

To fulfil our duty of care towards you whilst also maintaining your confidentiality, we may in rare circumstances contact your GP. However, we will only contact your GP if it is necessary, and should these circumstances arise, we would discuss this with you wherever possible before doing so.

We take great care to ensure we have a contract with any third party that states what they are allowed to do with the information we share with them. We ensure that they do not use your information in any way other than the task for which they have been contracted

**Your Rights**

We try to be as open as we can be in terms of giving people access to their personal information. You have a right to ask us to delete your personal information, to limit how we 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 we 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 we do hold information about you, and you request access to it, we will:

• give you a description of it and where it came from.

• tell you why we are holding it, tell you how long we will store your data and how we 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 us at any time to correct any mistakes there may be in the personal information we hold about you.

You are not required to pay any charge for exercising your rights to access your personal information. If you make a request to us, we have one month to respond to you.

To make a request for any personal information we may hold about you, please put the request in writing addressing it to Malcolm Poole willowcounsellinguk@gmail.com.

If you have any complaint about how we handle your personal data, please do not hesitate to get in touch with us by emailing the above address. We would welcome any suggestions for improving our data protection procedures.

If you want to make a formal complaint about the way, we have processed your personal information you can contact the ICO which is the statutory body that oversees data protection law in the UK. The ICO’s address: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF. Helpline number: 0303 123 1113. ICO website: <https://ico.org.uk/>

**Data Security**

We take the security of the data we hold about you very seriously, and as such we take every effort to make sure it is kept securely. As previously stated, all data received electronically is password secured and protected with anti-virus software.

Physical notes, i.e., personal information and process notes are stored in separate, locked, and secured filing cabinets. Access to the cabinets is restricted to those individuals with an identified need.

**Visitors to our website**

When someone visits our website, we use a third-party service, Wix.com to collect standard internet log information and details of visitor behaviour patterns. We do this to find out things such as the number of visitors to the various parts of the site. This information is processed in a way that does not identify anyone. We do not make, and do not allow Wix.com to make, any attempt to find out the identities of those visiting our website.

We use legitimate interests as our lawful basis for holding and using your personal information in this way when you visit our website.

We use Wix.com so that we can continually improve our service to you, you can read Wix.com privacy notice [here](https://www.wix.com/about/privacy).

We also use Wix.com as the content management system for our website. They are subject to the same privacy notice as detailed above.

Like most websites, we use cookies to help the site work more efficiently. Cookies are used for the website manager to collect more accurate data from individual users, such as how many times somebody has visited a site. This helps us meet the needs of potential clients. The information collected cannot identify any one individual user.

No user-specific data is collected by us or any third party. If you fill in a form on our website, that data will be temporarily stored on the web host before being sent to us.

**Changes to privacy notice**

This privacy notice may be updated from time to time, so please check occasionally for any updates.