

# Privacy Notice

## Andy Curtis Counselling

[www.andycurtiscounselling.co.uk](http://www.andycurtiscounselling.co.uk)

### Introduction

Your privacy is very important to me and I am committed to keeping your personal information safe and secure and handling it in a responsible manner. 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 answer any questions you might have about my data protection policy and you can contact me via email at the email address below.

‘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 (registration reference - ZB677898).

My email address is: [hello@andycurtiscounselling.co.uk](mailto:hello@andycurtiscounselling.co.uk).

My phone number is: 07404 530 367.

### 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 generally include your name, postal address, contact details (e.g. email address and phone number) and any information you volunteer relating to the purpose of your enquiry (such as why you are interested in my counselling services and any specific needs or requirements you might have).

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 14 days. If you would like me to delete this information sooner, just let me know.

### **While you are accessing counselling**

I will keep a record of your personal details to help the counselling services run smoothly. I will also keep written notes of each counselling session. I may also keep other material provided by you in the course of our work together such as journal extracts, artwork, personal reflections etc.

Records, notes and other material are not shared with any third party unless there is a safeguarding, legal or ethical requirement for me to do so as set out below (see **Confidentiality** below).

### **After counselling has ended**

Once counselling has ended your records, notes and other material will be kept for 5 years from the end of our contact with each other and are then securely destroyed. If

you would like me to delete your data sooner, please tell me, although this will not always be possible due to the requirements of ethical bodies and insurance companies to keep and retain counselling notes and records (see your data protection rights below).

## **Confidentiality**

As a member of BACP I am bound by their Ethical Framework to protect a client's confidentiality. You can rest assured that everything you disclose or discuss with me at any stage in the counselling process (from the initial contact) will be treated as confidential. That confidentiality will only be broken in certain circumstances, which are listed below:

- **Harm to self or others**

I reserve the right to break confidentiality if I think that you have become a danger to yourself or other people and that you or they are at risk of serious harm.

- **For legal and ethical reasons**

I am not bound by confidentiality if in good faith I feel that I can assist in the prevention or detection of a serious crime, this includes safeguarding issues regarding children or vulnerable adults, crimes regarding substantial financial gains and losses, and acts of terrorism. I may also be required to disclose certain records to the relevant authority if required to do so by court order.

I will always try to speak to you first about a proposed breaking of confidentiality, unless there are safeguarding issues or legal imperatives that prevent this.

## **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 records, notes and other material will be stored securely (1) on a laptop that is only used by me and that is password protected at both the level of the individual document and the laptop itself; and / or (2) on a secure and password protected cloud storage service such as Microsoft Office 365; and / or (3) as paper documents locked in a robust non-portable cabinet to which only I have access. All electronically held records, notes and other material will also be backed up to a password protected storage device.

Emails and text messages we may exchange will (from my end) be to private password protected accounts and devices. For additional security, I do not retain text messages or emails for more than 14 days and will delete within this timeframe if they are not important. If there is relevant information contained in a text or email message, I will extract and store that information securely with your records, notes and other material as detailed above.

## **Data sharing: 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. In such cases, I have carefully selected which partners I work with in order to protect your data privacy. I take all reasonable care to ensure that there is an agreement in place stating what the third party is allowed to do with the data I share with them and that they do not use your information in any other way.

Current third party recipients of personal data are listed below:

Microsoft 365 – password protected and confidential cloud storage services for confidential notes and records.

Therapeutic will administrator – to take over the administration of my practice in the event of my death or incapacity, and to deal with my appointments and destroy my notes in a confidential manner. (In keeping with the requirements of the BACP's Ethical Framework, I have appointed a trusted colleague to carry out this task. This colleague is also a member of BACP and is bound by the same professional confidentiality rules as set out in their Ethical Framework.)

## **Additional information for visitors to my website**

When someone visits my website, I use a third party service, WP Statistics, 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 and how they move about the various parts of the site. This information is only processed in a way that does not identify anyone. I use legitimate interests as my lawful basis for holding and using your personal information in this way when you visit my website.

WP Statistics does not collect any personal data or personally identifiable information (PII), does not use cookies, and respects website visitors' privacy. WP Statistics is a GDPR, CCPA and cookie law compliant site analytic (<https://wp-statistics.com/resources/what-we-collect/>).

My website is hosted by Webhealer. WebHealer also have access to WP Statistics website data analytics, but this information is in an anonymised form that cannot identify the identity of individual visitors to my website. Webhealer do not share any information collected with any third parties. I do not make, and do not allow WP Statistics, Webhealer, or any other third party to make, any attempt to find out the identities of those visiting my website.

The Contact Form on my website is provided by Brizy. Brizy does not use cookies, instead it uses Local Storages. If you fill in a form on my website no user-specific data is collected by Brizy, me or any third party. Data will be temporarily stored on the web host before being sent to me.

I use PHP as the content management system for my website - find out about PHP and data protection here: <https://www.php.net/privacy.php>.

Like most websites we use cookies to help the site work more efficiently – you can find out more about the use of cookies in the Cookies Policy on my website at <https://www.andycurtiscounselling.co.uk>, or you can request a copy.

## Your rights

I try to be as open as I can be in terms of giving people access to their personal information. 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.

Under data protection law, you have rights including:

**Your right of access** - You have the right to ask us for copies of your personal information.

**Your right to rectification** - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

**Your right to erasure** - You have the right to ask us to erase your personal information in certain circumstances.

**Your right to restriction of processing** - You have the right to ask us to restrict the processing of your personal information in certain circumstances.

**Your right to object to processing** - You have the the right to object to the processing of your personal information in certain circumstances.

**Your right to data portability** - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances. You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

You can read more about your rights at [ico.org.uk/your-data-matters](https://ico.org.uk/your-data-matters).

To make a request for any personal information I may hold about you, please put the request in writing addressing it to [hello@andycurtiscounselling.co.uk](mailto:hello@andycurtiscounselling.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).

The ICO's address is:  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Helpline number: 0303 123 1113  
ICO website: <https://www.ico.org.uk>