

Bearbrook Talking Therapy customer privacy notice



This privacy notice tells you what to expect us to do with your personal information. Please also refer to the Therapeutic Agreement for further details.

- [Contact details](#)
- [What information we collect, use, and why](#)
- [Lawful bases and data protection rights](#)
- [Where we get personal information from](#)
- [How long we keep information](#)
- [Who we share information with](#)
- [How to complain](#)

Contact details of the Data Controller

Email: hannah@bearbrooktherapy.co.uk

What information we collect, use, and why

We collect or use the following information to provide patient care, services, pharmaceutical products and other goods:

- Name, address and contact details
- Gender
- Pronoun preferences
- Date of birth
- Next of Kin details including any support networks
- Emergency contact details
- Health information (including medical conditions, allergies, medical requirements and medical history)
- Information about care needs (including disabilities, home conditions, medication and dietary requirements and general care provisions)
- Records of meetings and decisions
- Call recordings

We also collect the following information to provide patient care, services, pharmaceutical products and other goods:

- Health information

We collect or use the following personal information to comply with legal requirements, where applicable:

- Name
- Contact information
- Safeguarding information

Bearbrook Talking Therapy customer privacy notice



We collect or use the following personal information for dealing with queries, complaints or claims:

- Names and contact details
- Address
- Customer or client accounts and records
- Correspondence

How data is stored

To maintain confidentiality, when you first contact Bearbrook Talking Therapy, you will be assigned a unique code. This code will be recorded with your name in a separate record to your assessment information, and any correspondence that we may have. This is so any details of our confidential conversations cannot be easily traced back to you.

Any conversations with my supervisor will be undertaken using non-identifiable codes or names.

Bearbrook Talking Therapy customer privacy notice



Lawful bases and data protection rights

Under UK data protection law, we must have a “lawful basis” for collecting and using your personal information. There is a list of possible lawful bases in the UK GDPR. You can find out more about lawful bases on the ICO’s website.

Which lawful basis we rely on may affect your data protection rights which are in brief set out below. You can find out more about your data protection rights and the exemptions which may apply on the ICO’s website:

- **Your right of access** - You have the right to ask us for copies of your personal information. You can request other information such as details about where we get personal information from and who we share personal information with. There are some exemptions which means you may not receive all the information you ask for. [You can read more about this right here.](#)
- **Your right to rectification** - You have the right to ask us to correct or delete personal information you think is inaccurate or incomplete. [You can read more about this right here.](#)
- **Your right to erasure** - You have the right to ask us to delete your personal information. [You can read more about this right here.](#)
- **Your right to restriction of processing** - You have the right to ask us to limit how we can use your personal information. [You can read more about this right here.](#)
- **Your right to object to processing** - You have the right to object to the processing of your personal data. [You can read more about this right here.](#)
- **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. [You can read more about this right here.](#)
- **Your right to withdraw consent** – When we use consent as our lawful basis you have the right to withdraw your consent at any time. [You can read more about this right here.](#)

If you make a request, we must respond to you without undue delay and in any event within one month. To make a data protection rights request, please contact us using the contact details at the top of this privacy notice.

Bearbrook Talking Therapy customer privacy notice



Our lawful bases for the collection and use of your data

Our lawful bases for collecting or using personal information, to provide therapeutic counselling services, are:

- Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
- Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
- Legal obligation – we have to collect or use your information so we can comply with the law if a disclosure is made. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.
- Legitimate interest:
 - To be able to undertake therapeutic counselling, by looking at your issues today and from the past.
- Vital interests – collecting or using the information is needed when someone's physical or mental health or wellbeing is at urgent or serious risk. This includes an urgent need for life sustaining food, water, clothing or shelter. All of your data protection rights may apply, except the right to object and the right to portability.

Our lawful bases for collecting or using personal information to comply with legal requirements are:

- Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
- Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
- Legal obligation – we have to collect or use your information so we can comply with the law. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.
- Vital interests – collecting or using the information is needed when someone's physical or mental health or wellbeing is at urgent or serious risk. This includes an urgent need for life sustaining food, water, clothing or shelter. All of your data protection rights may apply, except the right to object and the right to portability.

Our lawful bases for collecting or using personal information for dealing with queries, complaints or claims are:

- Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
- Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
- Vital interests – collecting or using the information is needed when someone's physical or mental health or wellbeing is at urgent or serious risk. This includes an urgent need for life sustaining food,

Bearbrook Talking Therapy customer privacy notice



water, clothing or shelter. All of your data protection rights may apply, except the right to object and the right to portability.

Where we get personal information from

- Directly from you
- Family members or carers (referrals)
- Schools, colleges, universities or other education organisations (if counselling is provided by them)

How long we keep information

Your information will be kept for seven years once our counselling relationship has ended.

If you are younger than 18 years of age at the time that the counselling relationship ends, then the seven-year retention period will start from your 18th birthday.

All paper records will be shredded at the end of this period and any electronic records will be permanently deleted.

Who we share information with

Others we may share personal information with (please see the Therapeutic Agreement for details)

- Other health providers (eg GPs and consultants, if agreed with you)
- Professional advisors (my supervisor)
- Legal bodies or authorities (if a disclosure is made)

Duty of confidentiality

We are subject to a common law duty of confidentiality. However, there are circumstances where we will share relevant health and care information. Please also see the Therapeutic Agreement for details. Examples of when it may be necessary to break confidentiality will be discussed during our first meeting. The likely scenarios are where:

- you've provided us with your consent (we have taken it as implied to provide you with care, or you have given it explicitly for other uses);
- we have a legal requirement (including court orders) to collect, share or use the data;
- on a case-by-case basis, the public interest to collect, share and use the data overrides the public interest served by protecting the duty of confidentiality (for example sharing information with the police to support the detection or prevention of serious crime);
- If in England or Wales – the requirements of The Health Service (Control of Patient Information) Regulations 2002 are satisfied; or
- If in Scotland – we have the authority to share provided by the Chief Medical Officer for Scotland, the Chief Executive of NHS Scotland, the [Public Benefit and Privacy Panel for Health and Social Care](#) or other similar governance and scrutiny process.

Bearbrook Talking Therapy customer privacy notice



How to complain

If you have any concerns about our use of your personal data, you can make a complaint to us using the contact details at the top of this privacy notice.

If you remain unhappy with how we've used your data after raising a complaint with us, you can also complain to the ICO.

The ICO's address:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Helpline number: 0303 123 1113

Website: <https://www.ico.org.uk/make-a-complaint>

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