



# Soul Alchemy Client Privacy Guide

## 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 that it is for provision of health treatment (in this case therapy) and necessary for a contract with a health professional (in this case, the Contract between me and you that you have received).

## 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 include your telephone contact details, the area where you live, your availability, and a brief detail of what the problem might be. 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 one month. If you would like me to delete this information sooner, please let me know.

### While you are accessing therapy

Rest assured that everything you discuss with me is confidential. That confidentiality will only be broken according to the Confidentiality Clauses below. I will always try to speak to you about this first, unless there are safeguarding issues that prevent this. I will keep a record of your personal details to help the counselling services run smoothly. These details are kept securely on paper, on computer and Cloud storage and are not shared with any third party. I will keep written notes of each session, these are kept until three years after therapy has finished.

For security reasons I do not retain text messages for more than two months. If there is relevant information contained in a text message, I will remove it to appropriate contact files or my clinical notes. Likewise, any email correspondence will be deleted after two months if it is not important. If necessary, emails will be stored in my Mail client system on my personal computer.

## Confidentiality Clauses

Counsellors, like every other member of the public, have to work within the law, so if a client tells me they are going to break the law confidentiality does not exist. Legally, I may be required to disclose information under the Drug Trafficking Act, The Money Laundering Act, The Prevention of Terrorism Act and The Road Traffic Accident Act.



## Soul Alchemy Client Privacy Guide

Under some other circumstances I may break confidentiality. These circumstances include evidence of ongoing child abuse, the risk of serious harm to another person or vulnerable adult (perhaps from violence) or if I have serious concerns for your safety or if you are actively suicidal. If I believe you to be in danger or to be actively suicidal, I may contact your G.P. or other professional(s). This would hopefully be with your agreement. If I must break confidentiality without your agreement, I will try to inform you first that I am going to do so. I will give you with a written record of why I am breaking confidentiality as soon as possible. I will require you to sign a form called **Your Consent for Me to Contact Your G.P. or Other Professional(s)** as a condition of us working together.

I request and very seriously encourage you to inform your G.P. that you are in counselling, particularly if you feel you are depressed or are in low mood, or if you are in any ill health or feel you are misusing substances. Even if you feel none of these things apply to you, telling your G.P. that you are in counselling can still be a good idea. Sometimes I may make informing your G.P. that you are in counselling a requirement of us starting or continuing working together, and may decide this is necessary even if we have been working for some time without this having been previously the case.

Occasionally I may attend an educative event with other counsellors be invited to talk about a client. If I do so, all information is made anonymous. Please tell me if you do not wish me to talk about you at this type of event and I will respect this.

### After Counselling Has Ended

Once counselling has ended your records will be kept for three years from the end of our contact with each other and are then securely destroyed. If you want me to delete your information sooner than this, please tell me.

### 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.

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

### Employees Assistance Provider (EAP)

If your referral to me has come from an employee assistance provider, then that company may receive your contact details (though they will usually be in receipt of these already) and may receive such paperwork as they require to the fulfil their contact to your company (usually your employers or a spouses' employer). Depending upon the EAP's practice, this paperwork may include concise case notes of each session, a summary of the therapy overall, and various indices or Instruments used to measure progress. I may also share with them if I have any concerns around your safety or that of others.



# Soul Alchemy Client Privacy Guide

## Microsoft 365

Certain records, essentially for accounting purposes, are kept upon spreadsheet (with your name anonymised and with no contact details present) upon a spreadsheet and kept upon the Cloud storage of Microsoft 365. I also store any letters I have written on your behalf to other professional(s) upon the Cloud: they will have your address details and any relevant information still upon them. Considered as part of my notes, these letters will be destroyed three years after completion of therapy.

## HMRC and my personal Accountant

Both my Accountant and HMRC may require access to anonymised records of your attendance in therapy.

## Other Healthcare Professionals

Subject to the clauses concerning confidentiality above, I may write or telephone your GP or other professional, such as Emergency Mental Health Access or the Emergency Services. Dependent upon the nature of the communication, I will provide them with such contact details as is necessary, and if necessary, your personal whereabouts and information regarding your wellbeing.

## NatWest Bank

If you make a payment to me directly into my bank account your name will appear on my bank statement, therefore this information is shared with my bankers, in that your necessary transfer details will be known to Lloyds Bank.

## ICO

the Information Commissioner's Office (ICO) undertakes a programme of consensual and compulsory audits across the public and private sector to assess their processing of personal information and to provide practical advice and recommendations to improve the way organisations deal with information rights issues. I may be subject to Audit and therefor asked for any information I hold about you. The scope will be agreed in consultation between ICO and myself. It will consider both generic data protection issues as well as any organisation specific concerns there may be about its data protection policies and procedures. It will also identify relevant data protection risks within the organisation.

## If I become seriously ill, have an accident, or die

In event of this a trusted professional has authority to access my files concerning client appointments and contact details, who will pass on this information to you as well as information concerning further support.



# Soul Alchemy Client Privacy Guide

## Your Rights

I try to be as open as I can be in terms of giving people access to their personal information. You have a right to ask me to delete your personal information, to limit how I 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 I 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 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

You can also ask me at any time to correct any mistakes there may be in the personal information I hold about you. To make a request for any personal information I may hold about you, please put the request in writing addressing it to my email. 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)

## 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 written records are stored in locked filing cabinets within alarm and CCTV protected premises and securely destroyed using a proprietary shredding company. All electronic records are held on password protected computers and destroyed using proprietary file erasing applications.

*REVIEWED AUGUST 2021*