



# Jamie O Smith Therapy Privacy Notice

## Introduction

Your privacy is very important to me and you can be confident that your personal information will be kept safe and secure and will only be used for the purpose it was given to me. 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
- Your data protection rights

I am happy to chat through any questions you might have about my data protection policy and you can contact me at [jamieosmith.therapy@gmail.com](mailto:jamieosmith.therapy@gmail.com)

I am registered with the Information Commissioner's Office [Insert registration number].

## 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 counselling) and necessary for a contract with a health professional (in this case, a contract between me and you).

## 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 respond to your interest. This will include name, email, and telephone number. I will save this information on a secure, encrypted Proton account that is separate to where I store my day-to-day documents.

If you decide not to proceed I will ensure all your personal data is deleted within three months. If you would like me to delete this information sooner, just let me know.

### During counselling

Rest assured that everything you discuss with me is confidential within the following limitations (as per our contract):

- I take my work to supervision. This is standard practice, a requirement of BACP membership, and helps me work safely and competently.
- If I believe you are at risk of harming yourself, are at risk from others, or posing a risk to others, I reserve the right to break confidentiality in order to prevent harm. I would only do so in extreme circumstances and would try to discuss it with you before taking action.
- If required by a court of law to give evidence.



Relating to the latter two, 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. I will keep a record of emergency contact (name and number), current medication, GP details, and relevant dependents to be able to safely respond to any emergency situation - this is collected via a client intake form.

Initialised details for day-to-day record-keeping are kept securely on the password-protected Proton Account I use for my practice and are not shared with any third party.

I will keep clinical notes of sessions on my client files, stored in my password-protected and separate Proton Account (different to the account for record-keeping) - these are anonymised and don't contain identifying information. For security reasons I do not retain text messages for more than three months. If there is relevant information contained in a text message I will store it in the relevant place on my online client files. Likewise, any email correspondence will be deleted after three months if it is not important. If necessary I will transfer the information to my Proton Account.

Any identifying information (including the details given at initial contact and on the client intake form), are kept in a secure, encrypted, password-protected Proton account separate to my account for notes. Any correspondence that contains identifying client information (relevant texts and emails) is stored here separate to my Proton Account.

### After the counselling has ended

Once counselling has ended your records will be kept for six years from the end of our contact with each other and are then securely destroyed; this is in accordance with laws around clinical negligence that can apply for up to this period. If you want me to delete your information sooner than this, please tell me.



## 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 [jamieosmith.therapy@gmail.com](mailto:jamieosmith.therapy@gmail.com).

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. I use encrypted storage systems like Google Drive and Proton Mail.