

Encompass Counselling Privacy Notice

Encompass Counselling takes your privacy and handling of your data very seriously. Encompass Counselling is a registered data controller with the Information Commission Service (ICO). Our registration number is: ZA072720 and can viewed on the ICO website: www.ico.org.uk

What is this privacy policy for?

You are being given this privacy policy to let you know how Encompass Counselling collects, uses and stores your personal data and to let you know your rights. You can find further information on your rights on the ICO website named above.

Who is responsible for data control at Encompass Counselling (the data protection officer) and how do I contact them?

Claire Clancey (was Blackburn)
Counsellor and owner
40 Westgate, Sleaford NG34 7PN.
07704 251 237

claireclancey@hushmail.com

You can call me, write to me at the above address or email me.

What personal details will Encompass Counselling take from me?

Personal data, or details, means any information about an individual from which the person can be identified. On your request to have online/in person/telephone counselling sessions at Encompass Counselling I take, store and handle your name, telephone contact number, address, emergency contact number, your GP details, any diagnosed mental health conditions/relevant medication/treatment (past or present) and date of birth. Your details are provided by you on your therapeutic contract and sent to Claire Clancey via secure online methods (if you chose to send them back electronically and encrypted as strongly advised) or via a written hard copy provided in person.

Your details are taken to help me provide you (client) with the counselling services you request from me. Your details are taken to help me provide you with the best possible service, to maintain records, organise your session day and times and to assess suitability to receive therapeutic services from Claire Clancey. Your details are held so I can respond to any enquires you make, to investigate complaints or concerns, protect you and other people, identify and protect those at risk of harm, to keep track of the services I provide and to help Encompass Counselling conform to ethical, legal and insurance requirements. Further explanations follow:

Name: So I can identify you in my filing system and help me maintain records.

Telephone contact number: So I can contact you if I need to rearrange or cancel a session date and time or for any other relevant reason.

Address: Your address is needed to help locate you and/or identify you in an array of situations. For example if there are outstanding monies owing to Encompass Counselling by you, I may write to you at this address. If I am concerned for your safety or if there is a legal situation where I need to disclose your residing address to a police officer, gp, court or a mental health crisis situation (e.g the crisis team may require your address).

Date of Birth/Age: Knowing your age allows me to work in your best interest and can be used to provide a GP or other agencies with your DOB for identification purposes if necessary. This could include if the law requires me to do so or if your gp is contacted in the case you are at risk of harming yourself.

Emergency Contact Details: These are taken so I can call your chosen contact in the event you become ill or distressed during your session and need assistance home.

GP Details: Your GPs are contacted and given your name, address and date of birth to help identify you in situations where you pose a serious risk of harm to yourself. Your GP isn't contacted for any other reason unless you request me to. In this instance where you request me to then a discussion takes place between you and me first to explore your reasons for this and if I agree to contact your gp you will be asked to sign a consent form first.

Diagnosed mental health conditions/relevant medication and treatment: This helps Encompass

Counselling tailor any counselling services offered to your individual needs and helps me assess whether I am the right counsellor for you. Relevant medication includes any medicated treatment for depression or anxiety as an example. It does not include any medication a doctor or consultant as prescribed you for physical health reasons.

Ethical and Legal requirements. At Encompass Counselling I have a duty to share your information in certain situations under UK law. These include situations which involve the protection of a child, vulnerable adult, yourself or the public. Further to this I am required to disclosure information/details for the prevention and detection of crime or in any situation where I am required to do so by any court or law.

Encompass Counselling can only provide/promote an ethical service if I have information available to me that allows me to act in your best interest and comply with relevant laws, ethics and my insurance companies requirements.

How are the above details used?

The above details are stored and details such as your phone number may used to call you regarding housekeeping around session days and times if needed. If you have emailed me or prefer email contact when making arrangements or changing session times please be aware I do not store your email address. If you have provided me with your therapeutic contract via email then your email address will be encrypted within my email and stored in a folder within my email. As I encrypt your whole email which contains your attachments it stores your email address too. I have specifically chosen hushmail as my practice email account due to its robust compliance with GDPR (data protection laws) and HIPAA.

Alongside my explanations of how details can be used (above) your details can be provided to a small claims court if you have outstanding fees that you have refused to pay.

Your details will be shared in any situation the law requires me to.

Your details will be provided to any emergency service, gp or hospital in the event you are at risk of harming yourself or others.

Your details and/or client notes will be provided to my insurance company and/or legal representative/s if you bring a complaint against me. In any instance where a complaint is raised against me I may further provide your details and/or client notes to a relevant trade union and/or my supervisor. Please note the latter two will only occur if relevant. In the case of a complaint against me I will only disclose information/client notes if absolutely relevant and/or appropriate/necessary.

What happens if you do not wish to give your personal data?

Where I need to collect personal data under our terms of our contract (and for all the reasons listed above) and you fail to provide them when requested, or do not wish to, then I am unable to provide you with counselling sessions.

Can I request to see my data?

Yes. Please put any request in writing to the email or address at the end of this leaflet and you will be responded too within 28 days. You will not incur a fee for viewing your personal data.

Accuracy of Personal Details

It is important that the personal details I hold on you is accurate and current. Please keep me updated and informed of any changes.

Website and Email

Encompass Counselling's website and email address are fully compliant with General Data Protection Regulations (GDPR). If you make an enquiry on our website or via email, your personal details entered are not retained or stored in any way. Details from email or website enquiries will be deleted after a reply has been sent. Claire Clancey will respond to any email or website enquiry you make on the legal basis that by making the enquiry you consent to your details being used for the purpose of dealing with and responding to your enquiry.

Sending Therapeutic Contracts with your personal data online

If you request to proceed with online/telephone counselling sessions you will be asked to sign a therapeutic contract and send it back before sessions proceed. A therapeutic contract is a written agreement which contains fee information, your chosen use of online platform for sessions, your personal data and is a

written reference of terms and conditions that surround your sessions. This promotes ethical safe therapeutic practice for you. All therapeutic contracts, which contain your personal data are requested to be sent back using encryption to promote the protection of your privacy online. If you chose not to return it encrypted you do so at your own risk. All emails are accessed on Claire Clancey's work laptop/lpad which is password protected (including fingerprint protected), has antivirus and only accessed by Claire Clancey. Once your contract is received it is printed and stored in paper form

in lockable files in the Encompass Counselling offices or encrypted on receipt and stored in a locked file in my email or laptop.

Email Counselling

If you have requested to proceed with email counselling you will be asked questions about your circumstances, any medical conditions or other relevant information via email. All emails that contain these questions and answers must be on encrypted emails only and a written record will be taken by Claire Clancey. If you chose not to encrypt your email to me then you send it at your own risk and I hold no liability for its safety until it reaches me. Free encrypted emails can be sent from hushmail and other providers as an example. Once I have received it I will encrypt it and store it on my email or print it and store it in a lockable filing cabinet. Please be aware I do not store a copy of your email counselling sessions.

Online Counselling

All online MSN and video counselling sessions take place on encrypted and secure platforms. I cannot proceed with sessions which are not on a suitable platform. I am not responsible or cannot be held liable for online platforms which may record your sessions. Whilst I endeavour to use platforms that are encrypted and do not record, the terms and conditions of the platforms can change quickly and without my knowledge. Please refer to the platform used privacy notices and terms and conditions for further information on how they process your details including any possible recordings.

Where are my personal data held?

Your data is held in lockable filing cabinets within Encompass Counselling offices (which include home office) and/or on secure appropriate online platforms. Only Claire Clancey has full access to all client's personal data and client notes across the practice.

During the Covid-19 pandemic when it is not possible to access the office on Westgate due to government guidelines, self isolation, insurance companies instructions, ethical bodies directions or for personal safety of myself or clients please be aware clients notes and/or contracts/personal details will be stored on an encrypted online platform compliant with GDPR regulations OR in a locked filing cabinet at my home address. No matter the situation your details are always safeguarded at my home/work office or online and no one has access to them but Claire Clancey.

Client notes

Client notes are kept as a requirement by professional bodies and insurance companies. They help us to keep a track on themes from your sessions and may be used in any ethical or legal complaint/issue. They differ from your personal data as no identifiable information of yours is stored on them, for example your name/address. When you request to have counselling sessions at Encompass Counselling I assign you with an individual client number which appears on your client notes instead of your name. These notes are held in a locked filing cabinet in a different file to your personal data. You have the right to view your client notes if you so wish. Please make your request in writing or verbally to Claire Clancey and your request will be replied to within 28 days. No fee is incurred at any point

How long are client notes kept for?

Encompass Counselling only retains your client notes for as long as necessary and in line with insurance and ethical bodies requirements. Encompass Counselling cannot meet legal, insurance or ethical requirements without keeping client notes. Client notes are stored for a 5 year period after your sessions end and destroyed at that time.

Is my data shared with third parties for marketing?

No, never.

Will Encompass Counselling ever use my personal details to contact me for promotional purposes?

No, never.

Can my data be accessed by anyone outside of the agency on their request?

Your data/client notes are disclosed in any area the law dictates so, or in situations where you bring an ethical or legal complaint against Claire Clancey/Encompass Counselling. Other than this your details/notes are fully confidential.

If you pay your fee via online banking then your name appears in my business bank account. In an event where HMRC may audit me (for tax purposes) then I would/may be required to provide bank statements. In this instance your name would be disclosed to HMRC in the form of the bank statement. No other personal information will be provided to them about you.

How long is my personal data held for?

Your personal data is held for the duration of your counselling sessions. When you end your sessions your data is held for a further five years in line with the BACP (British Association of Counselling and Psychotherapy) ethical framework and insurance companies requirements.

Examples of why your files/data are held for five years is they might be needed in events where you make a complaint against Encompass Counselling/me to a professional body, if you re-enter the counselling process, if they're required by law after your sessions end or if you make a legal claim against Encompass Counselling for any reasons.

Can I request my personal data is destroyed at any time?

You have the right to request that your personal details are destroyed. Please send your request in writing to Claire Clancey and you will receive a response within 28 days. Any request to destroy personal data will be assessed in line with the General Data Protection Regulations (GDPR) and your particular situation. In some circumstances Encompass Counselling may have legal grounds to override your request as I have a legal basis for taking your personal information upon your request for counselling sessions. In circumstance where I am unable to delete your data after a request I will write to you and let you know on what legal bases I am retaining your details. In situations where removal of your personal data request is accepted I would be unable to continue providing you with counselling sessions.

Lawful Basis

Under GDPR law (General Data Protection Regulations) Encompass Counselling/Claire Clancey requests, securely stores and holds your personal details under the following legal bases:

- 1) Consent – You freely give your consent for your information to be processed for specific reasons. (To deliver counselling sessions.)
- 2) Contractual - You freely enter a contract with us where processing, handling and storing your data is necessary to provide you with ethical therapeutic practice.
- 3) Legitimate Interests: So Encompass counselling can run the practice, effectively, ethically and lawfully. Without retaining client notes/personal data for a 5 year period we cannot conform to our ethical bodies and insurance companies requirements.

4) Legal Basis for special category data: I ask you about your current or past mental health conditions and/or relevant medication in order to work in your best interest and provide you with the most appropriate counselling. For example if you are suffering depression I invite you to tell me so I can tailor your counselling to address the needs of your depression. It is necessary for the purpose of carrying out the obligations of our contract (providing you with appropriate, ethical and safe therapy sessions). Any such information is safeguarded and confidential. I legally store this information under article 9 of the General Data Protection Regulations as I am a professional member of a counselling and psychotherapy body. This means I have ethical obligations to you.

Your right to complain/object

You have the right to make a complaint about how your data is stored, used, processed or handled at any time. Complaints can be made at any time to the Information Commissioner's Office (ICO), the UK's supervisory authority for data protection issues (www.ico.org.uk). Encompass Counselling would be happy to deal with any complaint in the first instance if you so wish.

Updates to this privacy notice:

Updates to this notice may occur from time to time and are available on my website www.encompasscounselling.co.uk You will be notified in writing or verbally of any updates.

You can contact me in the following ways: (My address is at the top of this notice)

Email: Claireclancey@hushmail.com

Telephone: 07704 251 237

