



Privacy Notice

Introduction

The privacy of clients and protection of their personal data is of paramount importance to *Nuance Counselling* and we wish, therefore, to be fully transparent about the data we hold, the reasons for requiring such information, the arrangements in place to ensure it is protected and how it will be securely deleted when no longer required. The procedures employed by *Nuance Counselling* were developed in response to the Data Protection Act (2018) in order to comply fully with the General Data Protection Regulations (GDPR) (EU/2016/679) which came into effect on 25 May 2018. Compliance with data protection legislation in the UK is overseen by the Information Commissioners Office (ICO).

This privacy notice aims to reassure clients of the importance *Nuance Counselling* places on data protection by outlining what is done with any personal information from the point of initial contact to the eventual deletion of data after therapy has ended. It also explains:

- The legal basis for holding your personal data and why it is required
- For how long your personal data will be stored
- Whether any others will have access to the information
- Your data protection rights

If, after reading the information provided below, you have any queries, please feel free to contact Dr Paul Fairchild in the first instance (Email: paul@nuancecounselling.co.uk) who will be happy to discuss any concerns you may have. We fully appreciate that legal documents that attempt to cover all possible eventualities may seem rather daunting and wish therefore to ensure that all clients are fully reassured before embarking on therapy.

The Lawful Basis for Holding and Using Personal Data

GDPR legislation requires that *Nuance Counselling* has a lawful basis for receiving and processing your personal data. There are various lawful bases under which *Nuance Counselling* operates, depending on the stage of the counselling process, which are outlined below:

- If you have contacted *Nuance Counselling* to investigate therapy or are currently attending counselling, your personal data (eg mobile number, email address and medical history) will be stored and processed, in order for us to fulfil our contract with you.
- If you have had therapy with *Nuance Counselling* which has now ended, 'legitimate interest' represents the lawful basis under which we continue to hold your personal data.
- The GDPR also ensures that any sensitive personal information that you may disclose during therapy that may be reflected in session notes, is securely stored. This type of information is

called 'special category personal information'. The lawful basis under which *Nuance Counselling* holds and processes such personal information is 'the provision of health treatment', namely counselling and psychotherapy.

- The overarching basis for holding personal information at any stage of the counselling process is, however, the 'explicit consent' of each client which is, therefore, sought prior to embarking on counselling.

Personal Information Held by Nuance Counselling

During the course of working with clients, *Nuance Counselling* may obtain some or all of the following sources of personal information:

- Contact details eg mobile number and email address
- Email or text correspondence
- A letter of referral eg from a client's GP
- A questionnaire completed by the client, outlining any relevant medical history
- Session notes
- Any letters requested by the client eg for onward referral to other healthcare professionals

In order to ensure data security, these sources of personal information will be handled as follows:

- For prospective clients who decide not to pursue counselling after an initial enquiry, all personal data will be deleted promptly to remove any record of contact with *Nuance Counselling*.
- Contact details of clients who embark on counselling will be kept securely beyond the end of the contract unless their deletion is specifically requested. This is to enable us to make contact should it be necessary to follow up any issues that may have arisen during therapy. However, such contact details will be used only if absolutely necessary.
- All email and text correspondence will be deleted securely at the end of the contract.
- Letters of referral and the client questionnaire which carry the client's name will be kept as hard copies only in a locked filing cabinet for up to 3 years after the cessation of counselling, after which they will be securely shredded.
- Any letters written by *Nuance Counselling* on a client's behalf will be held as digital files that are password protected and as a single hard copy along with the client questionnaire in a locked filing cabinet. Both will be maintained for up to 3 years after the cessation of counselling, after which the relevant files will be deleted and the hard copy shredded.
- Session notes contain brief factual information only and serve solely as an *aide memoire*. Notes are coded rather than carrying the client's name and are hand-written rather than electronic. They are kept in a locked filing cabinet separate from letters of referral and the client questionnaire to ensure that anonymity is preserved. Session notes will be kept securely for up to 3 years after the cessation of counselling after which they will be securely shredded.
- The *Nuance Counselling* website receives numerous visitors each day but no user-specific data (eg IP addresses) are collected either by *Nuance* or any third party. In order to ensure data security, we do not invite visitors to the website to complete an online form but would encourage prospective clients to make initial contact either by text or email.
- The *Nuance Counselling* website uses 'essential' cookies that are necessary for the basic functioning of the website but does not make use of 'non-essential' cookies,

such as those used to analyse user behaviour or target adverts. Periodically, we may analyse traffic to the website in order to understand how best to improve our service, however, cookies will never be used to determine the identities of those visiting the website.

Third Party Recipients of Personal Information

All information divulged during counselling sessions will be considered strictly confidential and will not be shared with any other person without clients' express written permission, with the exception of the following circumstances:

- *Nuance Counselling* has a legal obligation to disclose information you have divulged if you were to reveal evidence of criminal activity or give significant concern that you may cause serious harm to either yourself or others or are yourself at risk of abuse.
- It is likewise a requirement that the work of all psychotherapists is overseen and monitored by a Supervisor in order to ensure that you are provided the best possible service. Your counsellor may, therefore, periodically discuss your progress during supervision but will do so in a way that fully protects your anonymity eg by using first names only or an appropriate pseudonym, if preferred.
- In the unlikely event that either crisis or incapacity were to prevent your counsellor continuing sessions with you, we ask for permission for your contact details to be provided to a designated individual who will contact you to explain the circumstances and offer alternative arrangements should you wish to pursue them. Were such a scenario to occur, the designated individual would have access *only* to your contact details: no session notes, client questionnaire or referral letters will be made available, in order to maintain complete confidentiality.

Your Data Protection Rights

Nuance Counselling is committed to being as transparent as possible by granting clients access to any personal information we may hold. As a client, you have a right to ask for your personal information to be deleted, or to limit how your personal information may be used. You also have a right to ask for a copy of any information about you we may hold or to object to the use of your personal data in some circumstances. More information about your rights as a client is available from the ICO website: www.ico.org.uk/your-data-matters.

Nuance Counselling will always cooperate fully with any reasonable and legitimate request about a client's personal information by:

- Providing a description of the personal information held and where it came from
- Explaining fully why we require the information and for how long it will be held
- Disclosing to whom (if anybody) the information may be made available
- Providing a copy of any information held

Requests from clients for copies of any personal information held about them should be made in writing for the attention of Dr Paul Fairchild (paul@nuancecounselling.co.uk). Copies of the relevant documents will be made available free of charge within one month of the request. Since we are committed to ensuring the accuracy of any information we hold, clients may request mistakes in their personal information to be corrected at any stage.

If you have any complaint about the way in which your personal data have been handled, please do not hesitate to get in touch by writing to Dr Paul Fairchild in the first instance. We will make every effort to investigate and address your concerns in a timely fashion and would welcome any suggestions for improving our data protection procedures. If, however, you remain dissatisfied by the response you receive and wish to make a formal complaint, you may do so by contacting the ICO. For more information, please visit: www.ico.org.uk/make-a-complaint.