Emily Heuvel

Birch Tree Counselling

GDPR Privacy Statement

I will bring a digital copy of this document to our initial session, and will ask you to read and sign it before we begin any work together. I will store a this with your session notes, and am happy to email you a copy if you wish. This privacy statement applies to information I collect from:

* Clients, prospective clients, former clients
* Visitors to my website www.birchtreecounselling.com

Purpose of Privacy Notice

The processing and protection of your personal data is governed by the General Data Protection Regulation 2016/679 (the GDPR). This legislation replaces current data privacy law, giving more rights to you as an individual and more obligations to organisations holding your personal data. This new legislation came into effect on 25th May 2018.

As a counsellor I want everyone who comes to me for support to feel comfortable and confident with how I look after and use any information you share with me. This Privacy Statement will give you information as to the way I use, share, and store your personal information along with information about the increased rights you have in relation to the information I hold on you and the legal basis on which I’m using it.

ICO Registration

Emily Heuvel is the registered data controller of Birch Tree Counselling. This means that I am responsible for how your personal and sensitive data is processed and for what purpose. If you have any questions around this, please contact me using the information below:

**ICO Number: ZA437502**

Email: [birchtreecounselling@protonmail.com](mailto:birchtreecounselling@protonmail.com)

Telephone: 07885 602055

How I process your data

**As part of the counselling process**

For me to fulfil my responsibilities as a counsellor I will need to record some personal and sensitive information. At our initial session I will record your name, address, email, phone number, and GP details. I also keep brief factual notes on the themes of each counselling session. This information is stored using counselling specific software called Bacpac. It is protected by 2 step authentication, and my laptop is password protected and has virus protection software installed. I use this information to enable me to fulfil my role as counsellor and ensure I am working in line with best practice and my legal obligations. I will hold this personal data for 3 years after the date of our last session together, or up to 7 years if it is in our best interests to retain this information for a longer period, due to any issues arising out of the work.

While the data listed above is actively collected as part of the counselling process, there is also data stored passively as part of the business or counselling process that I have an obligation to process:

**Text messages**

Any communication over text message is stored automatically on my smartphone. If we are often in contact by text I may temporarily save your contact details to my phone, using only your first name. At the end of our work together I will delete any stored contact information and message history. My phone is password protected.

**Emails**

Any communication over email is stored automatically in my inbox and accessible both from my phone and my laptop, both of which are password protected along with my email account. I use Protonmail as my email provider, which is end to end encrypted between Protonmail users, and when messages are sent encrypted for non-Protonmail users – otherwise your own email provider may have access to email contents. At the end of our work together I will delete any contact information and email history.

**Invoices**

I issue invoices at the end of each calendar month, which include your name, address, and dates of our sessions together. I keep a copy of these invoices in order to keep accurate financial records and in case of tax audit. Invoices are stored in password protected folders on my laptop for up to 5 years, after which point they will be deleted.

**WhatsApp**

I occasionally offer videocall sessions over WhatsApp, and some clients may prefer text messaging over WhatsApp. WhatsApp is end-to-end encrypted, I do not allow any automatic cloud backup, and the app is touch recognition/password protected. If we use the app often I may add you as a contact using only your first name. When we finish our work together I will delete any saved contact information and messaging history. I periodically delete my call log.

**FaceTime**

I occasionally offer videocall sessions over FaceTime. Facetime is end-to-end encrypted and I periodically delete my call log. I may add you as a contact on my phone using only your first name, in order to facilitate videocalling you. When we finish our work together I will delete any saved contact details.

**Skype**

I occasionally offer videocall sessions over Skype. In order to facilitate videocalling you I may add you as a Skype contact. My Skype account is password protected, and at the end of our work together I will delete any contact information, along with any stored message and/or call history. It is important to note that while Skype communication is encrypted it is not end-to-end encrypted – this means it is technically possible for interactions over Skype to be viewed by Microsoft.

**Zoom**

I occasionally offer videocall sessions over Zoom. My Zoom account is password protected. It is important to note that while Skype communication is encrypted it is not end-to-end encrypted – this means that it is technically possible for Zoom to view interactions.

**Paper diary**

In order to organise my sessions I keep a paper diary, in which I record the times and dates of our sessions using only your first name. Diaries are kept for up to 5 years and then destroyed.

**Website**

I use analytics software embedded in my website which keeps a record of your IP address. This enables me to market my service as efficiently as possible. Should you contact me through my website a record of this contact is stored in my Wix website account. I periodically delete these records. By using my website you consent you data being processed in this way.

Data sharing

I do not share any of your personal data, except for under the very specific circumstances listed below.

**Supervision**

As a member of BACP it is a requirement that I attend regular supervision. This is to support me in my work with you and ensure I work to your best interests. I will share details of our sessions with my supervisor, but you will only be identified by your first name. My supervisor is bound by the same strict guidelines surrounding confidentiality and GDPR.

**Therapeutic Will**

It is best practice that I have a therapeutic will in place, so that in the unfortunate circumstance of serious illness or death on my part you may be contacted and informed. I use a company called the Professional Executor Service, who, if needed, will be contacted by a member of my family to initiate the client contacting process. PES have my instructions on closing down my therapeutic practice, which includes destruction of case notes.

**Request from you**

On receipt of a written request from you I may release what personal and sensitive data I hold on you, where the release of the notes is not judged by me as likely to cause you significant harm, or harm to another person.

**Legal requirement**

There are certain legal circumstances in which I may share data that I hold, such as under subpoena or the Terrorism Act and Drug Trafficking Act. I may also need to share data with my regulatory body (BACP), insurance company, or solicitor in the event of a complaint, insurance claim, or legal proceedings being brought against me.

**Ethical duty**

If I believe you or someone else is at immediate risk I would inform your doctor, the police, or your emergency contact as necessary to protect yours or another person’s life. I would endeavour wherever possible to discuss this with you beforehand and come to an agreement of the best course of action.

Your rights

You have the right to ask to see the information held by me about you. To do this please ask me or submit a request in writing. You also have the right to ask for information you believe to be incorrect to be rectified. I will endeavour to provide you with the information requested within 4 weeks. If I become aware of a situation where your personal information may have been accidentally or maliciously obtained by a third party I will notify you within three working days, if this is feasible.

If you are concerned about the way your information is being help please discuss it with me. If you are still unhappy you have the right to complain to the Information Commissioner’s Office [www.ico.org.uk](http://www.ico.org.uk).

Agreement

Please sign this page to indicate that we have discussed and agreed how your personal and sensitive data will be processed for the purpose of counselling.

Signed:

Client name:…………………………………………. Client signature:…………………………………………

Date: ………………………………………… Emily Heuvel: ………………………………………………………