



[rebecca@mandalacounselling.co.uk](mailto:rebecca@mandalacounselling.co.uk)

## Privacy Notice to Clients

**Date Privacy Notice Completed: 19<sup>th</sup> November 2023**

**Date Privacy Notice Updated: 13<sup>th</sup> January 2024**

**Date Privacy Notice Updated: 19<sup>th</sup> January 2024**

**Date Privacy Notice Updated: 11<sup>th</sup> April 2024**

In engaging with Mandala Counselling, 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. Mandala Counselling / Rebecca Murray-Gilling is registered with the Information Commissioner's Office (Reference number: ZB621472).

### **ICO Registration Details:**

Mandala Counselling / Rebecca Murray-Gilling is registered with the ICO. Reference number: ZB621472

Registration Start Date: 02 November 2023

Registration End Date / Date for Renewal: 01 November 2024

Trading Names: Rebecca Murray-Gilling, Rebecca at Mandala Counselling, Mandala Counselling.

### **Data Controller:**

The Data Controller for Mandala Counselling is Rebecca Murray-Gilling.

Contact: email: [rebecca@mandalacounselling.co.uk](mailto:rebecca@mandalacounselling.co.uk)

### **Purpose of this document:**

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, and
- Your data protection rights.

You are welcome to ask any questions about the contents of this document at any time. We can do this during a session, or you are welcome to email me at [rebecca@mandalacounselling.co.uk](mailto:rebecca@mandalacounselling.co.uk)

### Mandala Counselling's 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, or to make initial contact with you via email or telephone.**
- 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 **consent** initially. I will then retain any counselling records in case of the need to reference them in the future (the official legal basis is to defend against potential legal claims).
- In the rare case that I have good reason to believe that you are at imminent risk of harm to yourself or to another person / people, then **vital interests** applies as the lawful basis for processing your personal data, as well as special category personal data. For example, if I were to share your personal or special category personal data with your GP, or 999 Emergency Services, without your consent, in the case of a life-threatening emergency.
- You can learn more about this on the ICO's website: <https://ico.org.uk/for-the-public/>

How Mandala Counselling uses your personal information / data:

#### 1. How your Data is used during Initial contact

When you contact me with an enquiry about my counselling services, I will collect information to help me in responding to your enquiry. This will include your name, email address, telephone number, and whatever information or reasons you choose to share regarding your personal circumstances and reasons for seeking counselling.

If, after an initial phone consultation with me, you or I decide not to proceed with counselling, I will ensure all your personal data is deleted **within one month**, including any contact details saved in my email account and/or phone. If you would like me to delete this information sooner, just let me know.

## 2. How your data is used while you are accessing counselling

The content of counselling sessions is confidential and private. However, there are circumstances under which that confidentiality may be broken. Mandala Counselling's confidentiality statement is outlined here:

### ***Circumstances where client data is or may be shared with a third party:***

- Aspects of client data will be shared with a supervisor, in confidence, as part of the **clinical supervision** required by BACP membership. The client agrees to this by signing the client contract agreement at the start of counselling.
- As part of the counsellor's **Clinical Will**. Clinical Will holder is the counsellor's supervisor. This is in place in case of the circumstance of the counsellor being unable to contact her clients due to hospitalisation / illness / death.
- When you first make initial contact with me via either: inquiry form on **bacp.co.uk**, inquiry form on **psychologytoday.com**, or the inquiry form on **www.mandalacounselling.co.uk** (which is hosted by **SquareSpace**) the data that you choose to share in your inquiry will be processed by each of these sites. This includes: your name, email address, phone number, and any details that you choose to share about your reasons for attending counselling. The privacy policies of each of these organisations can be found here:

<https://www.bacp.co.uk/privacy-notice/>

<https://www.psychologytoday.com/us/docs/privacy-policy>

- Cookies are used as part of my professional website. This is indicated to users of the website through a pop-up cookie banner when you first visit the site. You have the option to reject the use of necessary and uncessassry cookies while using [www.mandalacounselling.co.uk](http://www.mandalacounselling.co.uk), through this banner. Details of how your data is processed by SquareSpace have been copied from SquareSpace's policy and shared here:

### ***Analytics***

*This website collects personal data to power our site analytics, including:*

- *Information about your browser, network, and device*
- *Web pages you visited prior to coming to this website*
- *Your IP address*

*This information may also include details about your use of this website, including:*

- *Clicks*
- *Internal links*
- *Pages visited*
- *Scrolling*
- *Searches*
- *Timestamps*

*Mandala Counselling shares this information with SquareSpace, our website analytics provider, to learn about site traffic and activity.*

### **Cookies**

*This website uses cookies and similar technologies, which are small files or pieces of text that download to a device when a visitor accesses a website or app. For information about viewing the cookies dropped on your device, visit [The Cookies SquareSpace Uses](#).*

- *[These functional and required cookies are always used](#), which allow SquareSpace, our hosting platform, to securely serve this website to you.*
- *[These analytics and performance cookies](#) are used on this website, as described below, only when you acknowledge our cookie banner. This website uses analytics and performance cookies to view site traffic, activity, and other data.*

### **For Website Visitors**

*This website is hosted by SquareSpace. SquareSpace collects personal data when you visit this website, including:*

- *Information about your browser, network and device*
- *Web pages that you visited prior to coming to this website*
- *Web pages you view while on this website*
- *Your IP address*

*SquareSpace needs the data to run this website, and to protect and improve its platform and services. SquareSpace analyses the data in a de-personalised form.*

- If you email me directly at [rebecca@mandalacounselling.co.uk](mailto:rebecca@mandalacounselling.co.uk), your message will be stored in my professional email **Microsoft 365** email account, which is hosted by **GoDaddy.com**. These third party organisations will process the data that you share as part of the necessary process of delivering their service (i.e., sending your message to me).
- Copies of **client invoices and / or receipts** will be shared with **QuickBooks account** (which is GDPR compliant) and/ or **HMRC** and may be seen by the Data Controller's **accountant** in this circumstance only. These will be strictly for accountancy and Tax Return purposes and will not contain or link to any information discussed in sessions. Where possible, these invoices will be anonymised. The client agrees to this by signing the client contract agreement at the start of counselling.

- The client's contact details such as name and bank account number will appear on the **counsellor's business bank account statement**, and in QuickBooks, upon payment for counselling session/s.
- Data may be shared by the counsellor / Data Controller if they believe that the **client is at serious and imminent risk of harm to self or other/s**. This will usually be a phone call to the client's GP, emergency contact, or 999 / 111. This may apply to the case of an actively suicidal client or regarding current child abuse. The client agrees to this by signing the client contract agreement at the start of counselling, however, the counsellor will not necessarily seek prior consent from the client in these eventualities. It is an offence for the counsellor to notify the client of their data being shared in cases of terrorism or money laundering for any crime.
- Client notes are only legally required to be shared **when requested by a Court**. In this case, guidance will be sought from the counsellor's insurance company and from the BACP. Prior consent and discussion with the client will be sought by the counsellor in this circumstance. The client agrees to this by signing the client contract agreement at the start of counselling.
- Clients notes may be requested by the police or by solicitors, but are not necessarily legally required to be shared. Prior consent and discussion with the client will be sought by the counsellor in this circumstance. The client agrees to this by signing the client contract agreement at the start of counselling.

***Storage and Use of your data / information during counselling:***

During counselling, I will keep clinical notes of what happened in each session. This is to ensure the continuity and quality of service as we work together, as well as my preparation for my clinical supervision sessions.

**How is your data stored?**

Data (clinical notes) are stored electronically and as paper copies. These are kept throughout the duration of counselling.

**Electronic Copies:**

These include clinical notes which are factual and minimal records of what happened during each counselling session are backed up using **Microsoft 365 One Drive storage** (password encrypted document) and saved onto a password protected laptop which is only used for business purposes of Mandala Counselling. Documents are always password encrypted.

An electronic grid (Excel) featuring anonymised client data, is used to track clinical hours as part of the counsellor's practice management and registration / accreditation requirements (e.g. required supervised counselling hours, online / in-person etc.).

**Paper Copies:**

The counsellor may write clinical notes (as described above) on paper during or after a session. These will either be transferred onto a password encrypted word document, and then the paper copy destroyed (shredded), or will be filed in a locked filing box in the counsellor's home-office.

**Email:**

Some client data will be stored in emails as part of correspondence between counsellor and client (strictly relating to booking counselling sessions).

The client's email address will also be stored in the counsellor's email account.

**Telephone:**

The counsellor may phone the client as part of the initial pre-screening and assessment. The counsellor will always call from a withheld number or from a work phone and will not save the client's phone number on to her personal phone.

***How and When your Data is Deleted:***

Paper and / or electronic copies of data will be **held for up to 7 years** from the time of finishing counselling. This is the length of time recommended by my insurance company (Professional Civil Liability Insurance, Howden Insurance Brokers Limited)

Paper data will be securely destroyed (shredded).

Electronic copies and back-up copies will be deleted, and the computer recycling bin / trash emptied.

The counsellor's email inbox / sent box / drafts etc. will be regularly deleted and emails not kept longer than considered reasonable for purposes of the counselling process.

**You have the right to ask for your information to be deleted sooner than this.** The counsellor may choose to keep aspects of data for the purposes of: (f) Legal claims and judicial acts' ("processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity" – i.e., if counsellor needs to defend themselves against a client claim / complaint in court). <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/lawful-basis/special-category-data/what-are-the-conditions-for-processing/#conditions6>

### **3. How your data is used after counselling has ended / upon completion of counselling**

As detailed above, when you end counselling and stop receiving counselling services from Mandala Counselling, your data records will be kept for up to 7 years from the end of our contact with each other and are then securely destroyed. Upon completion of our counselling, I will not use your contact details to contact you further, unless for the purposes of any outstanding invoices.

#### **Your Data Protection Rights**

Under data protection law, you have rights including:

**Your right of access** - You have the right to ask us for copies of your personal information.

**Your right to rectification** - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

**Your right to erasure** - You have the right to ask us to erase your personal information in certain circumstances.

**Your right to restriction of processing** - You have the right to ask us to restrict the processing of your personal information in certain circumstances.

**Your right to object to processing** - You have the right to object to the processing of your personal information in certain circumstances.

**Your right to data portability** - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, the ICO states that I have one month to respond to you.

Please contact me at [rebecca@mandalacounselling.co.uk](mailto:rebecca@mandalacounselling.co.uk) if you wish to make a request.

## How to complain

If you have any concerns about my use of your personal information, you can make a complaint / request to me at [rebecca@mandalacounselling.co.uk](mailto:rebecca@mandalacounselling.co.uk)

You can also complain to the ICO if you are unhappy with how I have used your data.

The ICO's address:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>