

Privacy policy – Maria Moore

1. Introduction

1.1 I am committed to safeguarding the privacy of my counselling clients and prospective counselling clients.

1.2 This policy applies where I am acting as a data controller for the personal data of clients, prospective clients; in other words, where I determine the purposes and means of the processing of that personal data.

1.3 You will not receive Direct Marketing from me. I will only communicate with you as an integral part of your contract with me, or in the negotiation of a possible contract.

1.5 In this policy, "I", "my" and "me" refer to Maria Moore.

1.6 When I refer to "counsellor" I also include "therapist".

2. How I use your personal data

2.1 In this Section 2, I set out:

2.1.1 The general categories of personal data that I process.

2.1.2 The purposes for which I process personal data.

2.1.3 The legal bases of the processing

3. Categories of data

3.1 **Contact data.** I will process some, or all, of the following data

3.1.1 Your name.

3.1.2 Address and postcode.

3.1.3 Phone number/s.

3.1.4 Email address/es.

3.1.5 Skype or other video contact systems addresses or numbers.

3.1.6 The purpose of processing the data is for me to fulfil my contract with you.

3.1.7 The legal basis for processing this data is that it is necessary to fulfil my contract with you.

3.2 **Information about you.** Practical information relating to the counselling you seek

3.2.1 Referral date.

3.2.2 Reason for seeking counselling known as the "presenting problem".

3.2.3 Your partner's and/or family member's name(s) if you are seeking couples or family counselling.

3.2.4 The fee.

3.2.5 The date of the first session and your availability to attend future sessions.

- 3.2.6 The purpose of processing the data is for me to fulfil my contract with you and keep an accurate record.
- 3.2.7 The legal basis is that it is necessary to process the data to fulfil my contract with you.
- 3.3 **Special category data** - this is prescribed in the General Data Protection Regulations. The following list is not exhaustive but indicates the type of data in this category.
 - 3.3.1 Racial or ethnic origin.
 - 3.3.2 Political opinions.
 - 3.3.3 Religious or philosophical beliefs.
 - 3.3.4 Trade union membership.
 - 3.3.5 The processing of genetic data.
 - 3.3.6 Biometric data for the purpose of uniquely identifying a natural person; ("natural person" is a human being and does not include a machine or a legal entity).
 - 3.3.7 Data concerning health.
 - 3.3.8 Data concerning a natural person's (see 3.3.6 above) sex life or sexual orientation.
 - 3.3.9 The purpose of processing this data is to meet a professional duty upon me to keep records to help me when I reflect on our work together.
 - 3.3.10 The legal basis is your consent.
- 3.4 **Transactional information** - used when you pay.
 - 3.4.1 Bank account number and sort code
 - 3.4.2 Credit/Debit card identifiers
 - 3.4.3 The purpose of processing this information is to complete the financial transaction associated with the service provided and keeping proper records of my business transactions as required by law
 - 3.4.4 The legal basis is that it is necessary to process the data to fulfil my contract.
- 3.5 **Accounts information** - information I hold and use about the financial transactions
 - 3.5.1 Transaction details - my financial records.
 - 3.5.2 The purpose of processing this information is to complete the financial transaction associated with the service provided and keeping proper records of my business transactions as required by law.
 - 3.5.3 The legal basis is that it is necessary to process the data to fulfil my contract with you.
- 3.6 **Correspondence data** - a record of my correspondence relating to my contract with you.
 - 3.6.1 I keep a record of my correspondence with you. This is most likely to refer to either emails or telephone calls.

3.6.2 The correspondence data will be processed to communicate with you and record-keeping.

3.6.3 The legal basis for this processing is my legitimate interests, namely the proper administration of my business and communications with you.

3.7 **Counselling enquiries** Sometimes people contact me, but a counselling contract does not finally result.

3.7.1 The enquiry data is processed to offer an appropriate service to you.

3.7.2 The legal basis for this processing is taking steps, at your request, to enter into such a contract.

3.8 Legal defence

3.8.1 I may process any of your personal data identified in this policy where necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

3.8.2 The legal basis for this processing is my legitimate interests, namely the protection and assertion of my legal rights, your legal rights and the legal rights of others.

3.9 Insurance

3.9.1 I may process any of your personal data, but not special category data, identified in this policy where it is necessary to obtain or maintain insurance coverage, managing risks, or obtaining professional advice.

3.9.2 The legal basis for this processing is my legitimate interests, namely the proper protection of my business against risks.

3.10 Legal obligation

3.10.1 In addition to the specific purposes for which I may process your personal data set out in this Section 3, I may also process any of your personal data where such processing is necessary for compliance with a legal obligation to which I am subject, or in order to protect your vital interests or the vital interests of other natural persons.

3.10.2 The purpose is the proper protection of my business against risks.

3.10.3 The legal basis for this processing is to comply with the orders of a competent court, statute or EU Directive, the proper protection of my business against risks.

4. Providing your personal data to others

4.1 I may disclose your personal data to my insurers and/or professional advisers insofar as is reasonably necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, obtaining professional advice, or the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

4.2 I may send your personal data to my IT suppliers or subcontractors insofar as reasonably necessary for record keeping.

4.3 Financial transactions relating to my services are handled by my payment services providers – Barclays Bank. I will share transaction data with them to the extent

necessary to process your payments, refunding payments and dealing with complaints and queries relating to payments and refunds. You can find information about the payment services providers' privacy policies and practices at www.barclays.co.uk

- 4.4 I will provide HMRC with data they require if I am obliged by law to do so.
- 4.5 My accountants are The Staniforth Partnership, Derby and financial transactions relating to my services are handled by them. I may share transaction data with them only to the extent necessary to prepare my accounts and give me advice on financial matters. You can find information about their privacy policies and practices via www.enquiries@tspaccountancy.co.uk
- 4.6 In addition to the specific disclosures of personal data set out in this Section 4, I may disclose your personal data where such disclosure is necessary for compliance with a legal obligation to which I am subject, or in order to protect your vital interests or the vital interests of other natural persons. I may also disclose your personal data where such disclosure is necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

5. International transfers of your personal data

- 5.1 In this Section 5, I provide information about the circumstances in which your personal data may be transferred to countries outside the European Economic Area (EEA).
- 5.2 I store data on my IT services provider's secure servers within the European Union (EU) or facilities which are subject to the EU-U.S. and Swiss-U.S. Privacy Shield.

6. Retaining and deleting personal data

- 6.1 This Section 6 sets out my data retention policies and procedure, which are designed to ensure that I comply with my legal obligations concerning the retention and deletion of personal data.
- 6.2 Personal data that I process for any purpose will not be kept for longer than is necessary for that purpose.
- 6.3 I will retain data for three months after I last had contact with you if a counselling agreement does not proceed, and for three years following the last day that you have used my service if a counselling contract did result.
- 6.4 Notwithstanding the other provisions of this Section 6, I may retain your personal data where such retention is necessary for compliance with a legal obligation to which I am subject, or to protect your vital interests or the vital interests of another natural person.

7. Amendments

- 7.1 I may update this policy from time to time by publishing a new version. Please check back at the place you received this Privacy Statement.
- 7.2 You should check this page occasionally to ensure you are happy with any changes to this policy.
- 7.3 I may notify you of significant changes to this policy by email to the last email address you have supplied me with.

8. Your rights

- 8.1 In this Section I have summarised the rights that you have under data protection law. Some of the rights are complex, and not all of the details have been included in this summary. The legislation referred to is the General Data Protection Regulations and The Data Protection Act 2018, details are available from the Information Commissioner's Office. www.ico.gov.uk
- 8.2 Your principal rights under the legislation are:
- 8.2.1 The right to access
 - 8.2.2 The right to rectification
 - 8.2.3 The right to erasure (sometimes referred to as the right to be forgotten)
 - 8.2.4 The right to restrict processing
 - 8.2.5 The right to object to processing
 - 8.2.6 The right to data portability
 - 8.2.7 The right to complain to a supervisory authority (in the UK this is the Information Commissioner's Office)
 - 8.2.8 The right to withdraw consent.
- 8.3 You have the right to know whether I process your personal data and, if I do, have access to that data. Additionally, details of the purposes of the processing (which are included in this policy), the categories of personal data concerned (included in this policy) and the recipients of the personal data (included in this policy). Providing the rights and freedoms of others are not affected, I will supply to you a copy of your personal data. The first copy will be provided free of charge, and additional copies may be subject to a reasonable fee.
- 8.4 You have the right to have any inaccurate personal data about you rectified, and to have any incomplete personal data about you, completed.
- 8.5 In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include:
- 8.5.1 The personal data that is no longer necessary in relation to the purposes for which it was originally collected
 - 8.5.2 You can withdraw consent to consent-based processing (3.4 above)
 - 8.5.3 You object to the processing under rules of applicable data protection law
 - 8.5.4 The processing is for direct marketing purposes
 - 8.5.5 The personal data have been unlawfully processed.
- 8.6 However, there are exclusions to the right to erasure.
- 8.6.1 The general exclusions include where processing is necessary:
 - 8.6.2 For exercising the right of freedom of expression and information
 - 8.6.3 For compliance with a legal obligation

- 8.6.4 For the establishment, exercise or defence of legal claims.
- 8.7 In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are:
 - 8.7.1 You contest the accuracy of the personal data
 - 8.7.2 Processing is unlawful, but you oppose erasure
 - 8.7.3 I no longer need the personal data for the purposes of my processing, but you require personal data for the establishment, exercise or defence of legal claims
 - 8.7.4 You have objected to processing, pending the verification of that objection.
- 8.8 Where processing has been restricted on this basis, I may continue to store your personal data. However, I will only process it:
 - 8.8.1 With your consent
 - 8.8.2 For the establishment, exercise or defence of legal claims
 - 8.8.3 For the protection of the rights of another natural or legal person
 - 8.8.4 For reasons of important public interest.
- 8.9 You have the right to object to my processing of your personal data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for:
 - 8.9.2 The performance of a task carried out in the public interest or in the exercise of any official authority vested in me
 - 8.9.3 The purposes of the legitimate interests pursued by me or by a third party. If you make such an objection, I will cease to process the personal information unless I can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is for the establishment, exercise or defence of legal claims.
- 8.10 You have the right to object to my processing of your personal data for direct marketing purposes (including profiling for direct marketing purposes). If you do object, I will cease to process your personal data for this purpose.
- 8.11 You have the right to object to my processing of your personal data for the following purposes:
 - 8.11.1 Scientific
 - 8.11.2 Historical research
 - 8.11.3 Statistical purposes on grounds relating to your particular situation, unless the processing is necessary for the performance of a task carried out for reasons of public interest.
- 8.12 You have the right to receive your personal data from me in a structured, commonly used and machine-readable format if:
 - 8.12.1 The processing is carried out by automated means

8.12.2 Its legal basis is consent, or that the processing is necessary for the performance of a contract to which you are party, or to take steps at your request prior to entering into a contract

8.12.3 However, this right does not apply if it would adversely affect the rights and freedoms of others.

8.13 If you consider that my processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.

8.14 If the legal basis for my processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

8.15 You may exercise any of your rights relating to your personal data by written notice to me, in addition to the other methods specified in this Section 8.

9. My details – Maria Moore Personnel Development Limited

9.1 My principal place of business is at 52 Tring Road, Dunstable, Beds., LU6 2PT

9.4 You can contact me:

(a) By post, to Maria Moore, 52 Tring Road, Dunstable, Beds., LU6 2PT;

(b) By telephone, on 07967 748150(Mobile) or 01582 660732(Landline);

(c) By email, maria@integrative-psychotherapy.co.uk

10 Data protection registration

10.1 I pay an annual fee as a Data Controller to the Information Commissioner's Office (ICO number ZA774692).