

Anna Dubert

Psychotherapeutic Counsellor & Coach

www.aniadubert.com

+44 20 3290 0580



Registered Member **391349**
MBACP

Privacy Policy

I take your privacy seriously and I am fully committed to ensuring that your privacy is protected. I hope this policy is everything you need to know about how I use and protect any information that you give me, from when you first make an enquiry, through until after therapy or coaching comes to a completion.

Third party privacy statement

Your information does not get shared with anyone else within my private practice, as I manage my practice myself, and operate my business as an independent person.

From the moment you get in touch with me I will never try to obtain information about you from any third party without your knowledge and consent.

I will never share your information with any third party - unless you have explicitly told me that you would like me to, in order to help you get good support or healthcare.

I am required to have regular supervision with another professional therapist as part of my ongoing accreditation with the British Association of Counselling and Psychotherapy (BACP). I never disclose any personally identifying information about my clients within supervision.

There are only three lawful exceptions where I do not need your consent to share information to a third party: child protection, court order and risk to life. I'll explain this more below.

The lawful basis for processing your data

I only use information about you in ways that are core or legally essential for me to fulfil my role as an effective, safe, ethical and responsive psychotherapeutic counsellor or life coach to you.

Under GDPR regulations 2018, I am what is known as the 'data controller' and also the 'data processor', and I have specific responsibilities and requirements, accompanying these roles to protect your privacy.

I subscribe to the guideline provided by Information Commissioners Office policies with regards to your privacy, as well as the BACP code of professional practice.

Disclaimer: Your role in protecting your own privacy

I make every effort to ensure that my clients' personal information is held securely and to safeguard against unauthorised access, whether I receive it via my website, emails, text, over Skype or phone or in person. At the same time, in agreeing to my privacy policy:

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1. You acknowledge that the privacy of your communications and personal information can never be completely guaranteed when it is being transmitted over the internet.
2. You acknowledge and agree that you share information via the internet at your own risk.
3. You agree to take responsibility for your own role in safeguarding your data privacy in the email address you choose to use and whether or not you choose to password protect information you send to me.

My policy is to request that clients endeavour to take the following actions wherever possible:

1. To email me from an email address that does not have your full name in it
2. To only include your first name in any documents you send me
3. To password protect documents that you may send me

How do I obtain information about you?

I obtain information from:

- what you choose to share with me when you first contact me via my website's contact form, or when you phone or email me to make an enquiry.
- what you choose to share with me - information you send me by email and over the phone (text or voice message)
- sessions we have together in person face to face, by phone and online (Skype or zoom etc)
- your health insurance company or healthcare provider, if relevant, and with your consent
- If we agree to work together, I will of course want to get to know you, your needs, aims and life context so we can work really well together, with a good shared understanding.

Your privacy when you first get in touch

I'll only keep your contact information if I have the capacity to respond and be of help to you.

My website's contact form

If you get in touch via my useful contact form, you've got options to choose what information you wish to share with me.

About your initial free phone consultation

If you make initial contact with me over the phone, or choose a free telephone consultation, you can choose how much you would like to share with me at this stage. The purpose of your initial free consultation is about the practicalities: to find out if our schedules are mutually workable, for you to ask any questions about my

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approach, and for me to provide you with some information about the ways in which I could assist. However having a simple overview of your current issues, and what you want from sessions, can be helpful to ascertain if I am best placed to work with you.

Your privacy in our teamwork together

Emailing each other

After we have decided on an initial appointment I will usually send you a confirmation email detailing the venue, contract, fee and other relevant practicalities.

Online sessions

Skype, facetime and Zoom services have updated their privacy measures to ensure they are fully compliant with GDPR regulations 2018.

You're welcome to install Zoom as an option for online sessions, if you wish to keep our meetings entirely separate from your Skype or Facetime account.

Obtaining information from third parties

If your therapy is being funded via a health insurance company, your insurance company may provide me with information, but this would never be without your prior knowledge and consent, in accordance with your agreed contract with them. Insurance companies typically encrypt or password protect sensitive information that they share.

On occasion, with your prior knowledge and consent, I may have reason to ask to obtain information from other healthcare providers involved in your care, for example if you are working with a psychologist, psychiatrist or another therapist. This will only be to ensure I am providing the most appropriate, safe, responsive and effective therapy for your needs.

If you're working with another healthcare provider, such as a psychiatrist or psychologist, you or they may wish for me to have information about you, but this is highly unlikely to ever be without your prior knowledge and consent. From 25 May 2018 all organisations and businesses will be required to ensure their privacy policies are fully compliant with GDPR directives. Make sure you know your privacy rights with each party involved in your care.

You have a right to view any information that is shared about you, and a right to have any information rectified that is incorrect.

I will never knowingly receive information about you that you have not given permission to be shared.

In rare and exceptional situations a family member, partner or friend may contact me, but that could only happen if you decided to share my details with them. All

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actions from that point would need to have you at the centre, with your full consent and you guiding appropriate therapeutic decisions at every step of the way.

What type of information do I collect about you?

I will collect the following personal information from you if we decide to work together, because, as a registered healthcare practitioner, I would be reasonably expected to have this in case of an emergency:

Personal Information

- Your name and contact details
- Who should be contacted in case of an emergency (e.g. next of kin)
- GP address

If health insurance is funding your sessions I also need your name, DOB, address, plus your membership and authorisation codes to pass security checks with your health insurance company.

Sensitive information

Given the nature of healthcare related data, some of the information you may share with me is likely to be classified as sensitive. I'm legally required to take strong measures to protect your confidentiality with any of the following sensitive information that would be important for me to know in order to help you:

- Your mental and physical health
- Use of alcohol, prescribed and non prescribed drug use
- Any criminal offences or alleged offences

If you choose to share any information with me about your relationship or sexual history or orientation, your family, lifestyle, employment, religion or cultural background, this is also respected as 'sensitive'.

What do I use your information for?

I may at times need to ask you about some of the above sensitive information with the specific purposes of ensuring that:

- the service I provide to you is properly responsive to your specific circumstances and needs.
- I make safe and effective clinical and therapeutic decisions
- I respond to you in the most considerate way
- we communicate openly with one another to make wise and appropriate decisions together in a teamwork approach

With regards personal and sensitive information, I don't need to have a written record of everything you share with me. I keep my note taking outside of sessions to a minimum, and encourage my clients to keep their own notes of useful ideas,

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insights and reflections. As they relate to you and your progress, it's much more relevant and helpful that notes are written by you and stay in your possession.

There are of course some things that I must, legally, have a written record of, if it is in direct relation to your safety or the safety others, such as emergency contact information, or information related to suicide risk, child protection, domestic abuse, or other violent crime, or should I ever need to account for my clinical decisions and/or respond to complaints.

Transparency of record keeping

Records comprise of:

- the emails, reports, forms or letters you have decided to send or ccd to me
- emails, reports, forms or letters I have sent or ccd to you to the email address of your choice
- any information you have forwarded to me from a healthcare provider or insurance company
- any information I have received from a healthcare provider I will always show you if you have not already been ccd
- any information I send to an insurance company or healthcare provider I will make sure you have a chance to read and rectify as appropriate before I send
- and, if a legal or risk issue has been identified: risk assessment and risk management plan, and my clinical supervisor's recommendations, which I will also share with you, unless it would increase a safety risk to do so.

Measures I take to store your data securely

These are the measures I take to protect your data before it can be deleted or destroyed:

Storing paper information securely

I keep handwritten or printed information about you to an absolute minimum in order to protect your data.

I do not print or keep duplicate information wherever this can be prevented. For example, if you or your insurance company have sent me digital information via email, I do not then print it.

All handwritten or printed information that has any personally identifying information on it about my clients is kept in a securely locked filing cabinet.

Keeping electronic information securely stored

My devices are all password protected, with strong passwords that are all different from each other, and which I change at suitable intervals.

I do not share my devices or passwords with anyone else other than the I therapist who is the executor of my 'Professional Will' who has the password for my

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laptop. She would only use this in the unfortunate event of me being unable to work (death, serious illness etc.). At this point my executor would access my current client list and inform them of the situation.

I do not store any personally identifying information of my clients on a mobile phone, except for your number and names are coded.

If you get in touch with me via Skype the contact details you use are stored, but I do not store any therapy related information on these platforms.

I do not record phone or Skype, Facetime or Zoom sessions. If I need to electronically send a report or invoice, I send this separate to your personally identifying information or I password protect the document.

I clear my downloads related to client information on all devices when I am not actively making use of those downloads.

I do not keep your personal or sensitive information stored on any external hard drive or memory stick. While our work is active, I keep electronic information in the following places:

1. On my password protected apple laptop - please <https://www.apple.com/legal/privacy/en-ww/> for apple's GDPR policy relating to their products
2. My password protected Gmail account see Google's GDPR compliant security measures https://privacy.google.com/businesses/compliance/#?modal_active=none
3. Once our work has come to an end, I will delete any data I no longer lawfully or contractually need.
4. I use two-factor authentication wherever possible, such as email and cloud hosting.

Who I may need to share your information with:

Third parties

There may be occasions when I need to share personal or sensitive information about you with third parties, specifically, your insurance company or other health professionals involved in your care (see below). When I do so, I comply with all aspects of the Data Protection Act 1998 (DPA).

Your insurance company

If you are claiming the cost of your sessions through your insurance company, your insurance company may request details of your treatment and progress from me in order to authorise further funding for your treatment. I will share the minimum amount of information necessary with your insurance company.

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Specialist healthcare providers

If there is a specialist healthcare provider, such as a consultant physician or psychiatrist, NHS mental health service, dietician or nutritionist, psychologist or other therapist involved in your care, and your treatment with them could be negatively impacted if they did not know you were working with me, I consider this very carefully.

I will always ask you for your consent before sharing any personal or sensitive information when liaising with other health professionals who may be involved in your care.

I will always ask you for your consent before making appropriate referrals to other healthcare providers.

I will also check with you what information you do and do not wish for me to share. I only share sensitive information that would be of direct importance to your healthcare i.e. directly relevant to you getting the most appropriate treatment for your needs.

I would ensure you have a copy of any email or report I send.

General practitioners (your GP)

It is not typically necessary for me to contact a client's General Practitioner, unless you and I have concerns about the medication or treatment that a general practitioner may be prescribing you, or if your GP is the gateway to enable you to access other healthcare that you need.

If I share any information with your GP it will be in written form, in explicit consultation and collaboration with you, with the purpose of you getting better quality health care. I would ensure you have the opportunity to edit before it is sent and that you have a copy of the final draft.

Legal exceptions to obtaining your consent

There are some situations where I would be required to share your information with third parties, without your consent:

- Court Order
If I am required to disclose data about you, under a Court Order for me to do so.
- Child Protection
If I am concerned about the welfare of a child, i.e., where there are child protection issues relating to potential physical, mental, sexual abuse or serious neglect
- Risk to self or others

Where there is an imminent risk of serious harm to yourself or harm or exploitation of others.

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If you are seeking help and you are perpetrating a serious crime against someone, or you are actively suicidal, I am unable to protect your right to privacy, as I must take appropriate action to protect the rights of children and vulnerable adults if I believe they are at risk. In those instances, I will always follow local and national safeguarding policies and the BACP Standards of Conduct, Performance and Ethics.

If you are worried about your safety or the safety of someone else, it is very important that you get access to the right kind of help ASAP. In crisis or high risk situations, it may well be more suitable for you to prioritise getting linked up with a therapeutic team who specialise in crisis or high risk situations. I will do my best to get you linked up with the most relevant sources of help, as a sensible alternative to working with a sole practitioner like myself.

How long do I store your data?

My retention period is three years after which I will destroy your written case notes and any files I have on the computer.

Your Individual Rights

You have a number of rights when it comes to your personal data. Please do visit, so you can get fully informed about all of your data rights. I have listed three particularly important rights here

Your right of Access

You have a right to make a written request for the details of personal information that I hold about you.

You can simply email me and I will be happy to share the records that I have for you.

Your right to rectification

If you believe that any information I am holding on you is incorrect, incomplete or needs updating, please email me with details and I will promptly make the right changes. I will always show you any report or letter I write to a third party before I send it, and invite you to rectify it as you see fit.

Your right to portability

Any information that gets generated in our work together, such as reports or letters, you are most welcome to share with other people if that would be helpful to you. I will do my best to only keep information in a form that is easily portable for your convenience.

Your right to lodge a formal complaint

If you believe that your rights under the GDPR regulation have been infringed, or that the processing of personal data relating to you does not comply with lawful regulation, visit the Information Commissioners Office to find out how such matters can be dealt with on your behalf. Their helpline is 0303 123 1113.

Responding to family members and concerned others:

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Occasionally I get enquiries from people's family members or partners making initial enquiries that share sensitive information about their loved ones because they want to help. In these circumstances, if I have not had explicit written consent about information sharing from a potential client themselves, my policy is to not respond to such enquiries in order to ensure that I safeguard, rather than accidentally breach privacy rights, or compromise trust with a future client.

If this applies to you, and you are concerned about a loved one, I recommend that you are transparent in sharing your care and concern for them, and encourage them to contact me directly, or else their GP wherever possible. You are of course welcome to forward them a link to my website and to share my public contact details with them.

Contact me if you have any questions

If you have any questions or concerns about how your data is processed or shared, please do not hesitate to contact me by emailing on Therapy@aniadubert.com

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