



## Data Protection Agreement

Due to data protection laws I, Tanya Penn (counsellor) am required to inform you (the counsellee) how I store and use your information. As a counsellor I have a professional duty to record your information. I am expected to keep this information for 7 years, upon which it will be deleted, this is a requirement from the BACP. Your information will only be retained for longer when there is a mutually agreed decision or where I believe it is in my best professional interests to do so.

I will keep the basic information you provided on the agreement form at the beginning of counselling. This includes your name, address, phone, email, and GP practice. I subsequently write brief client notes (*using a code*) after each session, giving factual information of our sessions and verbal agreements. Your agreement form and client notes are kept in a locked cabinet. Your phone number is stored in my phone using a code or pseudonym for the duration of counselling. My phone is password protected. If we communicate by email, I use an email account which is also password protected.

As part of professional practice I may discuss content of our sessions in confidence during clinical supervision. This will be using a code or pseudonym; no identifying information will be shared. Your contact details will be used for the purpose of contacting you. Other personal data such as your name and address will be used to verify your identity, if there is a need to contact your G.P., or request for access to personal data from yourself or your representative or legitimate legal instrument such as a court order.

You have the right to request to see your information. This will be supplied within one month of receiving your request in writing. You also have the right to ask for your information to be erased and also to be corrected if you believe it to be incorrect.

Your contact details alone will only be shared in exceptional circumstances with my supervisor or another named agent in the event that I am incapacitated in order that you can be contacted to explain the situation. The details of this arrangement are set out in my professional will.

I have a professional duty to share information about you to legitimate third parties under the following conditions:

- *Receipt of a request from you or your representative, and where the release of notes is not judged by me as likely to cause you significant harm to another person.*
- *Where there is a specific legal requirement for me to do so.*
- *Where this is an ethical duty for me to do, for example to avoid serious harm to yourself or another person, including the safeguarding of children or vulnerable adults.*

**Post counselling**

I will delete your phone number from my mobile. However, my phone will retain any records of phone calls and texts between us. If we agree to communicate by text or email these records may be kept for the duration as your counselling notes.

**Concerns**

If you have any concerns about the way your information is being held please discuss with me and I will make every effort to resolve this with you. In the unfortunate event that you feel you have not been heard, you can contact the Information Commissioner’s Office (ICO) or my professional body BACP

**Agreement**

Upon signing this document, you agree to how your personal information is being stored for the purposes of counselling.

**Client name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_