

Privacy Notice

Your privacy is important to me. This Privacy Notice explains what personal information I collect through my counselling practice, why I collect it, how I use and protect it, how long I keep it and your rights in relation to your information.

I am the data controller for the personal information I hold about you in connection with my private counselling practice.

Information I collect

I collect only information that is relevant to providing and managing my counselling service. Depending on whether you are making an enquiry or become a client, this may include:

- your name and contact details;
- your date of birth and address;
- your preferred method of contact;
- GP and emergency contact details;
- information about your physical and mental health, neurodivergence and relevant medication;
- information gathered during an initial assessment;
- brief counselling session notes;
- information you choose to share during counselling;
- emails, text messages and other relevant correspondence; and
- payment and financial transaction information.

Because of the nature of counselling, some information may be particularly sensitive. Under data protection law, this is known as **special category data** and can include information about physical or mental health, racial or ethnic origin, religious or philosophical beliefs, sexual orientation or sex life.

I aim to collect and retain only information that is relevant and necessary for our work together.

Why I use your information

I use personal information where necessary to respond to enquiries, assess whether I can work with you safely and appropriately, provide counselling, arrange appointments and payments, communicate with you, maintain appropriate professional records, receive clinical supervision and meet my professional, ethical, insurance and legal responsibilities.

Information may also be used where necessary in relation to risk or safeguarding concerns, complaints, legal or insurance matters, financial and tax requirements, and arrangements for practice continuity if I become seriously incapacitated or die.

I do not use identifiable client information for marketing, research, teaching or training. **I do not enter identifiable client information or client records into general-purpose artificial intelligence (AI) tools.**

My lawful basis for using your information

For personal information necessary to assess, arrange and provide counselling, my primary lawful basis is the **performance of a contract**, or taking steps at your request before entering into a counselling contract.

Where I process special category information as part of providing counselling, I generally do so with your **explicit consent**.

In limited circumstances, a different lawful basis may apply, for example where processing is necessary to meet a legal obligation, protect someone's vital interests, or establish, exercise or defend a legal claim.

You can withdraw your consent to the processing of special category information at any time. This does not affect processing that was lawful before consent was withdrawn. As some sensitive information may be necessary for me to provide counselling safely and appropriately, withdrawing consent may mean I am unable to continue providing counselling.

How your information is stored and protected

I take reasonable steps to protect personal information from unauthorised access, loss, misuse or disclosure.

Paper client records are kept in secure locked storage. Electronic client records are password protected and securely backed up using cloud and external storage. Access to client information is restricted to me except in the limited circumstances described in this Privacy Notice.

Where possible, I use client codes rather than names within counselling notes and supervision.

Email, telephone and online counselling

I normally communicate with clients by email, telephone and text message. These communications may contain personal information and may form part of your client record.

For online counselling I currently use Google Meet, and I also offer counselling by telephone. WhatsApp may be used as a backup method of communication if there is a problem connecting to an online session.

Website and technology providers

I use third-party technology and service providers to support the administration and delivery of my counselling practice. These may include services for email, cloud storage and backup, video calling, telephone and messaging, and banking or financial administration.

If you contact me through the enquiry form on this website, the information you enter is processed through **Wix**, which provides my website and contact form, and is delivered to my practice email account.

Some providers may process personal information outside the UK. Where this occurs, I use services that provide appropriate safeguards for international transfers in accordance with UK data protection requirements.

Confidentiality and sharing information

I treat information you share with me as confidential.

I attend regular clinical supervision as part of my professional practice. I do not ordinarily identify clients by name during supervision and use client codes where possible.

Where there is a serious concern about your safety or the safety of another person, I may need to contact your GP, emergency contact, emergency services or another appropriate service. Wherever possible and appropriate, I will discuss this with you first.

With your consent, I may also provide limited information to another person or organisation at your request.

Payment information forms part of my business and financial records. Limited information may also need to be accessed or shared where necessary for taxation, accounting, banking, legal, regulatory or insurance purposes. I will only share information that is relevant and necessary for the particular purpose.

If I become seriously incapacitated or die

I have arrangements in place for the safe management of my practice if I die or become seriously incapacitated.

A nominated clinical executor, who is a counselling professional, may be given access to a separate, password-protected register containing limited information about my current clients so that they can be contacted and informed that counselling has ended.

A family member may be responsible for notifying my clinical executor and securely sending them the protected register, but family members do not have the password to access the information it contains and would not ordinarily have access to the content of client records.

How long I keep your information

If you become a counselling client, your counselling records, including relevant email and text correspondence, are normally retained for **five years after counselling ends**, in line with the requirements of my professional indemnity insurer.

If you enquire but do not proceed with counselling, information relating to your enquiry will normally be retained for **12 months after our last contact** and will then be securely deleted.

Some financial records must be retained for longer to meet HMRC and other legal requirements. Information may also be retained for longer where reasonably necessary in relation to an ongoing or anticipated complaint, legal matter or insurance claim.

When information reaches the end of the applicable retention period, it will be securely deleted or destroyed unless there is a lawful reason to retain it for longer.

Your data protection rights

Depending on the circumstances and the lawful basis on which your information is processed, you may have rights including the right to:

- ask for a copy of the personal information I hold about you;
- ask me to correct inaccurate or incomplete information;
- ask me to delete your information in certain circumstances;
- ask me to restrict how I use your information;
- object to certain processing;
- receive certain information in a portable format where applicable; and
- withdraw consent where processing relies on consent.

These rights are not absolute and do not apply in every circumstance.

Data protection concerns and complaints

If you have concerns about how I have collected, used, stored or shared your personal information, please contact me first so that I can look into your concerns.

You also have the right to raise a concern or make a complaint to the **Information Commissioner's Office (ICO)**, the UK's independent data protection regulator.

Concerns about my professional or ethical practice as a counsellor are separate from data protection complaints. Information about professional complaints is contained within my Counselling Agreement.

Contact me

If you have questions about this Privacy Notice, wish to exercise your data protection rights or want to make a data protection complaint, please contact:

Samantha Cooke

Samantha Cooke Counselling

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Privacy Notice last reviewed: September 2026