

Version: 1.2

Date: 04.12.2018

Who am I?

Karen Janas, KJ Consulting, provides counselling, coaching and training services. I, Karen Janas, am registered with the Information Commissioners Office (ICO).

As a 'data controller' the I, Karen Janas, must give to clients and prospective clients certain information, commonly called a 'privacy notice', about the sort of data I hold, the purpose for which it is used and an individual's rights in relation to their data.

CONTACT DETAILS:

Any questions relating to this Privacy Policy or the processing of data should be directed to karen@karenjanas.co.uk.

PRIVACY NOTICE

I need to collect and use personal information about clients and prospective clients, who make direct contact with me. This privacy notice sets out how I collect, use and protect your personal information and your rights in relation to your information.

Personal information is information, or a combination of pieces of information, that could reasonably allow you to be identified.

1. PERSONAL INFORMATION I USE

I will hold personal information which will have been collected from you directly.

1.1 Where do I collect data from?

I may hold information relating to you from a number of sources, and will collect personal information about you:

DIRECT FROM YOU:

- a. Personal information that you submit through my website by contacting me through the "Contact Us" form. I will also collect data that you send through social media or through an online advertising platform, such as Counselling Directory or the BACP Find a Therapist, if you choose to contact me through these means.
- b. Counselling & Coaching Clients: when we contract to work together I collect personal information, e.g. name, address, contact details, doctors details, next of kin contact, school/college details (for under 18s), what you would like to work on together and brief notes from each session.
- c. Training Clients: when we contract to work together I collect personal information, e.g. name, address, contact details of at least one point of contact, and any others that you choose to provide, details of what you would like to achieve through training and any information you provide that is pertinent to the training.
- d. Personal information that you submit through one of my 'subscribe to my newsletter or information about...' mailing lists. These are accessible through my website, social media and other online advertising platforms. You can amend/unsubscribe at any time.
- e. Record of attendance, including dates and notes of our sessions.

WEBSITE:

My website(s) use(s) cookies to improve your experience on my website but I do not collect personal data through my website, unless you use the 'Contact Me' form. Please see my Cookies Policy for further information and also the WordPress Cookie Policy: <https://en.support.wordpress.com/cookies/>

1.2 What information may I collect?

I will collect, store and otherwise process the following information as part of our work together:

- Your name, email, contact phone number and postal address
- Your date of birth and age
- Your doctors details & details of medication / health conditions
- Next of kin name and contact
- Details of objectives of counselling, coaching or training
- Notes about our work together
- Record of attendance, including dates of sessions and any missed sessions
- Any letters, invoices or receipts requested / required
- Emails / messages sent to/from you, the client
- School year and details (Under 18s)
- Where child lives (with parents/looked after) (Under 18s)

In addition, I may collect, store and otherwise process the following kinds of personal information:

- Social media identities if you opt to provide them
- Information about my services which you use, such as attendance
- Your communication preferences, if you provide any;
- Any other personal information you choose to share with me.

Special categories of data

The EU General Data Protection Regulation (GDPR) recognises certain categories of personal information as sensitive, and therefore requiring more protection. These categories of data include information about your health, ethnicity and political opinions.

In certain situations, I may collect and/or use special categories of data (for example in order to make adjustments for any disabilities you may have when attending our sessions). I will only process these special categories of data if there is a valid reason for doing so and where the GDPR allows me to do so. For instance, I will usually seek your explicit consent to use such data.

1.3 What information may I collect from other sources?

I do not collect information from other sources.

2. HOW I USE YOUR PERSONAL INFORMATION

I, Karen Janas, may use your personal information:

- to provide you with services, products or information (such as services information) that you have requested;
- to maintain records and provide you with a professional and ethical service;
- to respond to enquiries, you make;
- to administer our sessions;
- to provide updates about our work and services;

- to process your payments;
- to send you newsletters you have requested;
- to answer your questions/ requests and communicate with you in general;
- to analyse and improve my work, services, activities, products or information (including my website) or for our internal records;
- to audit and/ or administer my accounts;
- to administer any legal obligations;
- to ensure best practise through appropriate use of Supervision;
- to satisfy legal obligations which are binding on us, for example in relation to law enforcement requests;
- for the prevention of fraud or misuse of service; and
- for the establishment, defence of enforcement of legal claims.

I will only send you marketing material if you have specifically signed up to one of my newsletters.

3. Lawful Processing

I must have a legal basis (reason) to use your personal information. The legal basis for the majority of the personal data that I collect, and process is that of **CONTRACT** or **CONSENT**.

In addition, there are circumstances under which I would have a **Vital Interest** to process your data, for instance if I was concerned for you or another's welfare, and you were not able to offer consent.

In the case of Personal information that you submit through our website by, contacting us through the "Contact Us" form, Facebook Page, or any personal data that you share with us when you communicate with us by email, phone or post the legal basis is that on **contract**.

We are required to rely on one or more lawful grounds to collect and use the personal information that we have outlined above. We consider the grounds listed below to be relevant:

Consent

Where you have provided your consent for my use of your personal information in a certain way, for example when we contract to work together you will be asked to consent to this Privacy Policy.

Legal obligation

Where the processing of your personal information is necessary for me to comply with a legal obligation to which I am subject, for example accounts and tax returns.

Contractual relationship

Where it is necessary for me to process your personal information in order to perform a contract to which you are a party (or to take steps at your request prior to entering a contract), for example if you are not a client but have contacted me via email, social media, post or telephone and request information about my services.

4. INFORMATION SHARING

I, Karen Janas, will not sell, rent or lease your personal information to others. However, I may disclose your personal information to selected third party processors (such as my Supervisor) for the purposes outlined at 2. The third party in question will be obligated to use any personal data they receive in accordance with our instructions.

I engage a third party to host and maintain my business website, I do not store or collect your personal data on my website. My email karen@karenjanas.co.uk is hosted on HeartInternet.

I advertise online through a variety of platforms, including Facebook, Twitter, Counselling Directory, BACP and others, which clients and prospective clients can choose to contact me through. Please do refer to the third-party platforms privacy policies.

I have a Therapeutic Executor, who would be in touch with you to arrange alternative providers of my services, should I become incapacitated. They have access to a securely stored spreadsheet of current client's names and contact numbers.

In addition to Heart Internet for emails I also use BT Internet and occasionally icloud.

I also use a third-party provider, MailChimp, to send out newsletters and emails to subscribers of different groups, e.g. if you have signed up to receive information about my Continued Professional Development (CPD) courses. You need to 'opt-in' to receive these emails and you provide your email address and name (if you wish) which are sent directly to MailChimp.

CONFIDENTIALITY & DISCLOSURE

Sessions will be conducted in the strictest confidence and this confidence will be maintained, and applied to all records, except in the following instances:

- when you consent to your confidence being broken;
- when I am compelled by a court of law;
- Where the information 'is of such gravity that confidentiality cannot be maintain' i.e. in cases of fraud, crime and where there is a case of 'serious physical harm to self or others' involved;
- Within supervision;
- Under certain circumstances where the client is under 18 years of age. Please see the additional agreement in respect of clients under the age of 18;
- for auditing purposes e.g. finance audits;
- for accounting and tax purposes;
- in situations of extreme concern for your or others welfare;
- if we are under any legal or regulatory obligation to do so; and
- in connection with any legal proceedings or prospective legal proceedings, in order to establish, exercise or defend my legal rights.

Summary of Third Party Providers of Information:

- a. **Facebook** – clients and non-clients can choose to join the online Facebook groups and pages, and opt to leave at any time
 - a. **Privacy Policy:** <https://www.facebook.com/policy.php>
- b. **Online Advertising Platforms** – for instance Counselling Directory, Find a Therapist, BACP Register of Counsellors and CounsellorsUK. Clients and prospective clients can choose to contact me through these platforms. Please refer to the respective privacy policies.
- c. **Mailchimp** – your email address and name are shared – you can opt out at any time
 - a. **Privacy Policy:** <https://mailchimp.com/legal/privacy/>
- d. **BAC-PAC** – client management software
 - a. **Security:** <https://bac-pac.co.uk/security/>
- e. OneDrive (Microsoft) - <https://privacy.microsoft.com/en-gb/privacystatement>
- f. DropBox - https://www.dropbox.com/en_GB/privacy

- g. iCloud (Apple) - <https://www.apple.com/uk/legal/privacy/en-ww/>
- h. Zoom – for Online therapy only. <https://www.zoom.us/legal>
- i. PayPal - for card transactions and online payment processing
<https://www.paypal.com/en/webapps/mpp/ua/privacy-full>

5. INTERNATIONAL DATA TRANSFERS

As I sometimes use third parties to process/store personal information, it is possible that personal information I collect from you will be transferred to and stored in a location outside the UK or the European Economic Area (EEA).

Please note that certain countries outside of the UK or EEA have a lower standard of protection for personal information, including lower security protections. Where your personal information is transferred, stored, and/or otherwise processed outside the UK or EEA in a country which does not offer an equivalent standard of protection to the UK or EEA, I will take all reasonable steps necessary to ensure that the recipient implements appropriate safeguards designed to protect your personal information. If you have any questions about the transfer of your personal information, please contact me.

I use the OneDrive, DropBox and iCloud storage platforms to store business data, such as invoices, letters, and accounts and Therapeutic Executor list of clients and contacts. All data is protected by passwords and destroyed as per the schedule at clause 10.

When you sign up to one of my online newsletters or information lists, my third party provider, MailChimp, stores your email address (and, if you provide it, your name) on servers in the United States. They will only use it for the purpose of sending you the newsletters and emails. MailChimp is certified under the Privacy Shield. You can easily unsubscribe from these emails and newsletters by clicking on the "unsubscribe" link provided at the end of the email/newsletter, or send an email to karen@karenjanas.co.uk.

I also use Heart Internet, BT Internet and iCloud for email provision.

I use Zoom for online therapy.

I use PayPal for card transactions and if requested by client for payment processing.

6. SECURITY AND STORAGE

I, Karen Janas, have in place measures to protect the security of your personal information and keep it confidential. I take all reasonable, technical and organisational precautions to prevent the loss, misuse or alteration of your personal information. I review these measures regularly to make sure they remain appropriate. I also restrict access to those who have a need to know, which would usually be just me, except in order to provide the services in clause 2.

If I share your personal information with a third party I will make sure that they also have measures in place to protect it and keep it confidential.

Client data forms, and notes (which are kept separate and under a unique code) are kept in a locked filing cabinet and a client data entry is made into the secure counsellor client management system, BAC-PAC. Accounts, invoices, letters and receipts, are kept on a password protected cloud storage or password protected laptop accessible only by myself. A list of active clients is kept, password protected on the

OneDrive cloud storage (in line with insurance requirements) and a list of client names and contact numbers is kept on the OneDrive cloud storage, accessible by myself and my Therapeutic Executor (my Supervisor), for use in the event of my incapacitation. I also keep contact details for active clients on my password protected mobile phone and email system. Please see the schedule at clause 10 for further details.

7. HOW LONG DO I KEEP YOUR DATA

Unless still required in connection with the purpose for which it was collected and/or processed, I will generally remove your personal contact, doctors and next of kin information from my records within three months of finishing our work together.

Data that I am required to keep by law, e.g. accounts and notes, list of client names, I will keep in accordance with the law and the obligations of my insurance provider. Please see schedule at clause 10 for further details.

Data held on social media, Meetup group and Mailchimp can be amended or deleted by you at any time. You can unsubscribe from Mailchimp newsletters and emails by clicking on the unsubscribe notice at the bottom of all emails.

8. YOUR RIGHTS

You have rights regarding your personal information, including the right to access, correct, delete or transfer your personal information or to restrict or object to our use of it. If you would like to discuss or exercise these rights, please contact karen@karenjanas.co.uk.

I may contact you by post unless you request otherwise, and by telephone, email, social media or other electronic means depending on the communication preferences you have previously indicated.

Where I rely on your consent to use your personal information, you have the right to withdraw your consent at any time. Where I rely on legal obligation, you do not have the right to deletion.

When I use your personal information you have the right to:

- Ask me for **confirmation** of what personal information I hold about you, and to request a copy of that information. If I am satisfied that you have a legal entitlement to see this personal information, and I am able to confirm your identity, I will provide you with this personal information.
- Request that I **delete** the personal information I hold about you, as far as I am legally required to do so
- Ask that I **correct** any personal information that I hold about you which you believe to be inaccurate.
- **Object** to the processing of your personal information where I: (i) use the personal information for direct marketing; or (ii) use the personal information for statistical purposes.
- Ask for the **provision** of your personal information in a machine-readable format to either yourself or a third party, provided that the personal information in question has been provided to me by you, and is being processed by me: (i) in reliance on your consent; or (ii) because it is necessary for the performance of a contract to which you are party; and in either instance, I am processing it using automated means.

- Ask for processing of your personal information to be **restricted** if there is disagreement about its accuracy or legitimate usage.

Please note that you also have the right to lodge a complaint with the Information Commissioner’s Office at <http://www.ico.org.uk/concerns>

9. CHANGES TO THIS POLICY

I will review and update the privacy policy from time to time. You will be sent a new version when I update it and may be asked to resign to give me consent to continue using your data in the way described.

10. DATA PROCESSING SUMMARY

What data I collect & keep?	Legal basis for processing this data	Why do I keep it?	How do I collect it?	How long do I keep it?	How do I store it?
Name, age, date of birth	Contract	To administer our sessions / work together	From yourself, the client	Until up to three months after we finish working together and all payments received.	Paper record, locked in a filing cabinet in my office. BAC-PAC online client management system.
Contact details, home address, home and mobile telephone numbers and email address	Contract	To administer our sessions / work together and be able to contact you	From yourself, the client	Until up to three months after we finish working together and all payments received.	Paper record, locked in a filing cabinet in my office. BAC-PAC online client management system. A contact number and email address are also stored on my password protected mobile/laptop, stored in the cloud, on a password protected server.
Doctors details and details of any medication	Consent and in extreme circumstances of danger to self or others, Vital Interest.	I may need to speak to your GP if I am concerned that you are at risk. I would always endeavour to	From yourself, the client	Until up to three months after we finish working together v	Paper record, locked in a filing cabinet in my office. BAC-PAC online client management system.

		<p>discuss this with you first.</p> <p>To administer our sessions</p>			
Next of kin name and contact	Consent and in extreme circumstances of danger to self or others, Vital Interest.	To call in the event that something happened to you during a session.	From yourself, the client	Until up to three months after we finish working together and all payments received.	<p>Paper record, locked in a filing cabinet in my office.</p> <p>BAC-PAC online client management system.</p>
Details about what has brought you to counselling or coaching and your goals	Contract	To administer our sessions	From yourself, the client	<p>For five years, after our sessions end, in line with my insurance company's requirements.</p> <p>Young People – notes are kept seven years past their 18th birthday.</p>	<p>Paper record, locked in a filing cabinet in my office.</p> <p>Recorded and kept under a unique code.</p> <p>BAC-PAC online client management system.</p>
Record of attendance, including dates and notes of our sessions	Contract	To administer our sessions	From yourself, the client and from our discussions during sessions	<p>For five years, after our sessions end, in line with my insurance company's requirements.</p> <p>Young People – details are kept seven years past their 18th birthday.</p>	<p>Paper record, locked in a filing cabinet in my office.</p> <p>Recorded and kept under a unique code.</p> <p>BAC-PAC online client management system.</p> <p>A digital record of your name, unique code, when you started and when you stopped sessions is also kept, password protected on my password protected computer, on the password protected OneDrive cloud storage. Your name is deleted after five years, when I destroy all remaining paper notes etc.</p>
Any letters requested or invoices and receipts	Contract	To administer our sessions	From yourself, the client and from our discussions during sessions	For five years, after our sessions end, in line with my insurance company's requirements.	These are stored digitally, password protected on a password protected laptop, on the

				Young People – kept seven years past their 18 th birthday.	password protected OneDrive cloud storage, for five years.
Record of payments and method of payment (kept under a unique code)	Contract Legal Obligation	To administer my accounts	From your method of payment	For five years, or in line with HMRC requirements	Electronically – on password protected OneDrive. Paper copy in locked filing cabinet
Emails sent to/from you, the client	Contract	To administer our sessions	From yourself, the client and me, Karen Janas	Admin emails re: appointment times will be deleted within three months of our sessions ending. ----- Any emails which you send containing personal details will form part of my notes and will be stored as a paper copy with your email address and any contact details removed, as per details above.	These are stored digitally, on a password protected mail server, accessed through password protected smart devices or password protected laptop. ----- As these form part of my notes these will be stored for five years, after our sessions end, in line with my insurance company's requirements.
Information provided for newsletters and information emails – Email address and if provided, name	Consent	To provide information requested	Direct from you	As long as you wish to receive the newsletters / emails of information. You can amend / unsubscribe at any time.	In the online platform Mailchimp.
Consents and agreements.	Consent	To retain confirmation of your consent to our working agreement and privacy policy for the duration of my legal obligations.	Direct from you	For five years post ending our work together. Young People – kept seven years past their 18 th birthday.	Stored as a paper copy, separate from notes, in a locked filing cabinet.
Additional information is kept for clients under the age of 18.					
School, school year, whether a child lives at home or is looked after	Consent	To administer our sessions	From yourself, the client	Until up to three months after we finish working together	Paper record, locked in a filing cabinet in my office. Recorded and kept under a unique code.



PRIVACY POLICY

					BAC-PAC online client management system.
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