

# Privacy Notice

This website is owned by Nicholas King ('I', 'my', or 'me'), trading as Nicholas King Counselling & Psychotherapy.

My business address is 34 Woodford Crescent, Pinner, HA5 3TX.

If you have any concerns about this notice or your privacy please tell me. You can contact me through this website.

## Introduction

This notice describes how I collect, store, transfer and use personal data. It tells you about your privacy rights and how the law protects you.

In the context of the law and this notice, 'personal data' is information that clearly identifies you as an individual or which could be used to identify you if combined with other information. Acting in any way on personal data is referred to as 'processing'.

I am committed to protecting your privacy and the confidentiality of your personal information. I undertake to preserve the confidentiality of all information you provide to me and hope that you reciprocate.

## Personal data I process

### 1. How I obtain personal data

The information I process about you includes information:

- you directly provide to me
- collected as a result of monitoring how you use this website

### 2. Types of personal data I process directly

When you book or attend a counselling or therapy session, you may disclose personal data to me. This may include:

- personal identifiers, such as your first and last names, your title and your date of birth
- contact information, such as your email address, your telephone number and your postal address
- clinical information that you provide during a session, such as your circumstances and your beliefs
- medical information, such as details about your general practitioner and your past and current health
- insurance provider information if you have been referred to me by an insurer
- transaction information, such as information about payments or communications to and from you and other information about bookings you have made.
- records of communication between us including messages sent through this website, email messages and telephone conversations

### **3. Types of personal data I collect from your use of my website**

When you visit my website, I process:

- technical information about the hardware and the software you use to access this website, including your Internet Protocol (IP) address, your browser type and version and your device's operating system
- usage information, including the frequency you use this website, the pages that you visit, whether you receive messages from me and whether you reply to those messages

### **4. Use of aggregated information**

I may aggregate anonymous information such as statistical or demographic data for any purpose. Anonymous information is that which does not identify you as an individual. Aggregated information may be derived from your

personal data but is not considered as such in law because it does not reveal your identity.

However, if I combine or connect aggregated information with your personal data so that it can identify you in any way, I treat the combined information as personal data, and it will be used in accordance with this privacy notice.

## **5. Special personal data**

Special personal data is data about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data. It also includes information about criminal convictions and offences.

In order to provide my services to you, I may need to process information that falls into the types classed as special category data.

For example, following a therapy session, I may record notes in order to recall in a later session clinical or medical information that is important. Because of the nature of my services, that information may be special category data.

Under law, I am able to process special category data where doing so is necessary for health or social care purposes or where you have given explicit consent for me to do so.

If I process special category data relating to you then I ensure that additional care is given in safeguarding it.

## **6. Membership of professional bodies**

I am a member of the British Association for Counselling and Psychotherapy ('BACP') and the British Association for Behavioural and Cognitive Psychotherapies ('BABCP').

In addition to following the requirements of the law, these professional bodies require me as a member to comply with codes of ethics, which include principles relating to the confidentiality and privacy of client information.

These codes can be found at:

<https://www.bacp.co.uk/events-and-resources/ethics-and-standards/ethical-framework-for-the-counselling-professions/>

<http://www.babcp.org.uk/files/About/BABCP-Standards-of-Conduct-Performance-and-Ethics-0917.pdf>

As a requirement of my professional registration, I regularly discuss my clinical work with a qualified and trusted supervisor in order to uphold my standard of care.

Your personal data will always be protected in this context through pseudonymisation, and my supervisor, like me, is governed by rigorous ethical standards as well as the law.

## **7. If you do not provide required personal information**

Where I need to collect personal information by law, or in order to be able to provide my services under a contract I have with you, and you fail to provide that information when requested then I may not be able to perform that part of or all of that contract. If so, I will notify you of this at the time.

## **The bases on information about you is processed**

The law requires me to determine under which of six defined bases I process different categories of your personal information, and to notify you of the basis for each category.

If a basis on which I process your personal information is no longer relevant then I shall immediately stop processing your data.

If the basis changes then if required by law I shall notify you of the change and of any new basis under which I have determined that I can continue to process your information.

## **8. Information processed under a contract**

In order to provide my services, or in situations where you have requested that I provide my services, I must collect and record your personal data.

For example, when you book a session I reasonably presume you do so with intention to enter into a contract. In this situation, your personal data which

includes personal identifiers and contact information is processed on the basis of contractual obligation.

I continue to process this information until the contract between us ends or until I am otherwise no longer required to keep it.

## **9. Information I process with your consent**

Through actions when otherwise there is no contractual relationship between us, such as when you contact me through my website, you provide your consent to me to process personal data that includes personal identifiers, contact information and technical information.

I continue to process your information on this basis until you withdraw your consent or it can be reasonably assumed that your consent no longer exists.

You may withdraw your consent at any time by telling me. However, if you do so, you may not be able to use this website or my services further.

## **10. Information I process for the purposes of legitimate interests**

I may process personal data on the basis there is a legitimate interest, either to you or to me of doing so.

Where I process your information on this basis, I do so after having given careful consideration to:

- whether the same objective could be achieved through other means
- whether processing (or not processing) might cause you harm
- whether you would expect me to process your data, and whether you would, in the round, consider it reasonable to do so

For example, I may process your information on this basis for the purposes of:

- record-keeping for the proper and necessary administration of my business
- protecting and asserting the legal rights of any party

- insuring against or obtaining professional advice that is required to manage business risk
- protecting your interests where I believe I have a duty to do so

Where there is a legitimate interest such as where I perceive an imminent risk of death or serious harm to you or someone else, or to prevent a crime or a civil wrongdoing, I am permitted by law to disclose your personal data (for example, to your GP).

## **11. Information I process because I have a legal obligation**

Sometimes, I must process your information in order to comply with a statutory obligation.

For example, I may be legally required to disclose personal data where I am concerned about terrorism or money laundering, or where I am required by a court of law.

This may include your personal information.

## **12. Information I process to protect vital interests**

In situations where processing personal data is necessary to protect someone's life, where consent is unable to be given and where other lawful bases are not appropriate, I may process personal data on the basis of vital interests.

For example, I may inform relevant organisations if I have a safeguarding concern about a vulnerable person you have mentioned.

## **Other uses of information**

## **13. Cookies**

Cookies are small text files that are placed on your computer's hard drive by your web browser when you visit a website that uses them. They allow information gathered on one web page to be stored until it is needed for use at a later date.

They are commonly used to provide you with a personalised experience while you browse a website, for example, allowing your preferences to be remembered.

They can also provide core functionality such as security, network management, and accessibility; record how you interact with the website so that the owner can understand how to improve the experience of other visitors; and serve you advertisements that are relevant to your browsing history.

Some cookies may last for a defined period of time, such as one visit (known as a session), one day or until you close your browser. Others last indefinitely until you delete them.

Your web browser should allow you to delete any you choose. It also should allow you to prevent or limit their use. Your web browser may support a plug-in or add-on that helps you manage which cookies you wish to allow to operate.

The law requires you to give explicit consent for use of any cookies that are not strictly necessary for the operation of a website.

This website is hosted by Wix, which uses cookies for a number of different reasons including for security purposes; for monitoring the performance of this website; and for providing a good experience for visitors. You can read more about how Wix uses cookies at <https://support.wix.com/en/article/cookies-and-your-wix-site>

In order to track which pages you visit on this website and whether they are useful to you, this website uses Google Analytics. You can read more about how Google uses cookies at <https://policies.google.com/technologies/types>

## **14. Personal identifiers from your browsing activity**

Requests by your web browser to the servers for web pages and other content on this website are recorded.

This information is technical information, recorded for security purposes. Theoretically, if combined with other information known about you from previous visits, the data possibly could be used to identify you personally. However, I do not use it in such a way.

## **Other matters**

### **15. Your rights**

The law requires me to tell you about your rights and my obligations to you in regard to the processing and control of your personal data.

I do this now, by requesting that you read the information provided at <http://www.knowyourprivacyrights.org>

### **16. Delivery of services using third party communication software**

With your consent, we may communicate using software provided by a third party such as Facebook (WhatsApp), Apple (Facetime), Microsoft (Skype) or Zoom Video Communications (Zoom).

Such methods of communication should secure your personal data using encryption and other technologies. The providers of such software should comply with all applicable privacy laws, rules, and regulations, including the GDPR.

If you have any concerns about using a particular software for communication, please tell me.

### **17. Data may be processed outside the UK**

My business is based in England.

The headquarters of my website hosting provider, Wix, are in Israel. Israel is considered by the United Kingdom to offer an adequate level of protection for the personal information of UK and EU Member State residents.



Your personal information may be stored through Wix's data storage, databases and the general Wix applications. Data is stored on secure servers behind a firewall.

Your data may be maintained, processed and stored by Wix and their authorised affiliates and service providers in the United States of America, in Europe (including in Lithuania, Germany and Ukraine), in Israel, and in other jurisdictions as necessary for the proper delivery of their services and/or as may be required by law.

Wix affiliates and service providers that store or process your data on Wix's behalf are each contractually committed to keep it protected and secured, in accordance with industry standards and regardless of any lesser legal requirements which may apply in their legal jurisdiction.

Wix's full privacy policy can be viewed at: <https://www.wix.com/about/privacy>

## **18. Control over your own information**

It is important that the personal data I hold about you is accurate and current. Please keep me informed if your personal information changes.

At any time you may contact me to request that I provide you with the personal information I hold about you.

When I receive any request to access, edit or delete personal identifiable information I shall first take reasonable steps to verify your identity before granting you access or otherwise taking any action. This is important to safeguard your information.

Please be aware that I am not obliged by law to provide you with all personal data I hold about you, and that if I do provide you with information, the law allows me to charge for such provision if doing so incurs costs for me. After receiving your request, I will tell you when I expect to provide you with the information, and whether I require any fee for providing it to you.

I remind you that I am not obliged by law to delete your personal data or to stop processing it simply because you do not consent to me doing so. While having your consent is an important consideration as to whether to process it, if there is another legitimate basis on which I may process it, I may do so on that basis.

## 19. Communicating

When you contact me, whether by telephone, through this website or by email, I collect the information you have given to me in order to reply.

I may keep personal information associated with your message, including your Identity and Contact Information so as to be able to respond to you.

## 20. Complaining

If you are not happy with this privacy policy or if you have any complaint then you should tell me.

When I receive a complaint, I record all the information you have given to me.

I use that information to resolve your complaint.

If your complaint reasonably requires me to contact some other person, I may decide to give to that other person some of the information contained in your complaint. I do this as infrequently as possible, but it is a matter for my sole discretion as to whether I do give information, and if I do, what that information is.

If a dispute is not settled then I hope you will agree to attempt to resolve it by engaging in good faith with me in a process of mediation or arbitration.

If you are in any way dissatisfied about how I process your personal information, you have a right to lodge a complaint with the Information Commissioner's Office (ICO). This can be done at <https://ico.org.uk/make-a-complaint/>. However, I would appreciate that if you have a concern, you raise it with me before complaining to the ICO.

## 21. Retention period for personal data

I keep your personal information only for as long as required:

- to provide you with the services you have requested
- to comply with other law, including for the period demanded by tax authorities

- to support a claim or defence in court

## **22. Compliance with the law**

My privacy policy complies with the law in the United Kingdom, specifically with the Data Protection Act 2018 (the 'Act') accordingly incorporating the EU General Data Protection Regulation ('GDPR') and the Privacy and Electronic Communications Regulations ('PECR').

## **23. Review of this privacy policy**

I may update this privacy notice from time to time as necessary.