Privacy Notice — Be Understood Counselling

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1. Introduction

Welcome to the Be Understood Counselling privacy notice. I respect your privacy and am committed to protecting your personal data. This notice tells you how I look after your personal data — from your first enquiry, through therapy, to after it has ended — and what your rights are.

In summary, it covers:

- why I am able to process your information, and for what purposes;
- whether you have to provide it to me;
- how long I store it for;
- who else receives your personal information;
- whether I intend to transfer it to another country;
- automated decision-making and profiling;
- your data protection rights.

Automated decision-making and profiling: I do not make automated decisions about you and do not profile you.

I am happy to discuss any questions about this notice. You can contact me using the details in §2.

2. Who I am (data controller)

"Data controller" means the person who collects, stores and is responsible for people's personal data. In this instance, the data controller is me, Steven Tesseyman, trading as Be Understood Counselling. I am a sole trader and work alone — there are no employees or subcontracted therapists.

- I am registered with the Information Commissioner's Office: registration number ZA407646.
- Postal address: 6 Embry Road, Wittering, Peterborough, PE8 6AP.
- Phone: 07827 326035.
- Email: steven@beunderstood.co.uk

If you have any questions about this privacy notice, including requests to exercise your legal rights, please put your request in writing to me by email or post using the details above.

3. Lawful bases for processing your personal information

I must have a lawful basis for processing your personal data. The basis depends on the stage of our relationship:

- **Enquiries and current therapy:** where you contact me to consider counselling, or we have an agreement for counselling services, I process your personal data as necessary for the performance of our contract (UK GDPR Article 6(1)(b)).
- **After therapy has ended:** I rely on legitimate interests for holding and using your records for record-keeping, legal, accounting and complaint-handling purposes.
- **Legal obligation:** where I must comply with the law (for example, tax records).
- **Website visitors:** I rely on legitimate interests for the standard technical and log data necessary to run and secure the website, and on cookie consent as described in §9.

Health information (special category data). Counselling is about your wellbeing, so most of what you tell me in therapy — and often the reason you give in your enquiry — is health information, which the law treats as "special category" personal data. I process this information as necessary for the purposes of health or social care, carried out by, or under the responsibility of, a health professional, under UK GDPR Article 9(2)(h), together with the condition in UK law at Part 1, paragraph 2 of Schedule 1 to the Data Protection Act 2018 — processing by, or under the responsibility of, a professional subject to a duty of confidentiality under law or a professional's code of conduct. As a counselling practitioner, I am bound by such a professional duty of confidentiality, and I treat everything you tell me as confidential subject to the limited exceptions in §4.2.

I do not intentionally collect information about criminal convictions and offences.

4. How I use your information, stage by stage

4.1 When you first contact me (enquiry)

You can contact me through the website enquiry form, by telephone or answerphone, by SMS, on WhatsApp, or by email. Whichever route you use, I collect only the information needed to answer you: your name, email address and phone number. If you use the website enquiry form, the form also asks for a short free-text answer to "Do you have a specific reason for seeking counselling?", and for your preferred call times (with a "no call, please text" option). The free-text reason may reveal information about your health, which I treat as special category data under §3.

If you decide not to proceed with counselling, I do not retain your enquiry information. If you would like your information deleted at any earlier point, just let me know.

4.2 While you are having counselling

Confidentiality. Everything you tell me is confidential. Confidentiality will only be broken if I am under a court order, or if I judge that serious harm is imminent, in which case I would contact the Crisis Team. I will always try to speak with you first unless there is a reason I cannot.

My records. All of my client records are paper-based. Session notes are handwritten and are kept by me alone. They are not shared with third parties except as set out in §6.

Messages and email. I delete email, WhatsApp and SMS conversations as soon as the conversation is finished.

Clinical supervision. I take clinical supervision. In supervision I use only a client's first name, and that first name is never written down.

Online sessions. Where we meet online, sessions are held by video call using **WhatsApp** or **FaceTime**. Each provider handles data under its own privacy notice, and §7 explains what that can mean for transfers outside the UK.

4.3 After counselling has ended

Once therapy has ended, I keep your therapy records for three years from the last session, and then destroy them by cross-cut shredding. If you would like me to delete your information sooner, please tell me.

5. The data I collect

- **Identity Data:** first name and last name.
- **Contact Data:** email address, telephone number, and postal address if you give me one.
- **Enquiry Data:** the content of your enquiry, including any free-text reason for seeking counselling (this may contain health information).
- **Clinical Data (special category data):** handwritten session notes and related therapy records.
- **Payment and Transaction Data:** records of payments you make and I receive. There are no card or online payments through the website; sessions are paid for by bank transfer or cash.
- **Technical Data (website visitors):** information collected automatically when you visit my website — see §9.

You are not under a legal obligation to provide your data, but without it I cannot provide counselling services.

6. Sharing your information

I do not pass your personal information to third parties, except as described below, or where a court order or the serious-harm exception in §4.2 applies.

Services I use, and what they involve:

- **Microsoft 365** (within the EU) — my business email and document services.
- **WhatsApp (Meta)** — messaging and video calls with clients, for ordinary contact and for online sessions.
- **FaceTime (Apple)** — video calls with clients for online sessions.
- **My website platform** — the site runs on **WordPress**, hosted on **Amazon Lightsail** (Amazon Web Services), with the **Contact Form 7** plugin for enquiries, **Google reCAPTCHA** for spam protection on the form, **Clicky** for website analytics, and **Iubenda** for my privacy/cookie documents and consent banner. See §9.
- **Clinical supervisor** — first name only, never written down (see §4.2).

- **Professional advisers** (for example my accountant, insurer or a solicitor) and **regulators** (for example HMRC, the ICO) — only where necessary for legal, financial or regulatory obligations.

The services and accounts used to run the practice are **business accounts, not personal accounts**. Where a service processes client personal data for me, that provider acts as my processor under its provider terms.

7. International transfers

I will not transfer your personal data outside the UK as part of my own handling of it. However, some of the third-party services described in this notice may process personal data outside the UK when they are used — for example, when you visit my website, Google reCAPTCHA and Clicky analytics may process information in the United States, and my website hosting and business software run on cloud infrastructure that can involve non-UK locations. Where a service provider processes personal data outside the UK, it does so under its own applicable international transfer mechanism (for example, a transfer mechanism approved for use in the UK, or an adequacy-based framework, to the extent one applies to that provider). This notice does not assert that any particular provider relies on any particular mechanism.

8. Data security

My client records are paper-based and kept by me alone. Specifically:

- paper client records are kept **locked away**;
- the relevant devices used for the practice are **password protected and encrypted**; and
- **multi-factor authentication** is enabled on the associated accounts.

My Microsoft 365 services operate within the EU.

When a personal data breach occurs, I will meet my legal notification duties to the ICO and to you where the law requires it.

9. Additional information for website visitors

- **Website platform and hosting:** my website runs on **WordPress** and is hosted on **Amazon Lightsail** (Amazon Web Services), a cloud hosting service. See §7 for how non-UK processing by service providers is handled generally.
- **Enquiry form:** the enquiry form (Contact Form 7) asks for your name, phone number, email address, a free-text answer to "Do you have a specific reason for seeking counselling?", and your preferred call times or a "no call, please text" choice. I use what you submit there solely to contact you and respond to your enquiry. Treat anything you type there as information that may include health data (§3).
- **Google reCAPTCHA:** the form is protected by Google reCAPTCHA, which loads resources from Google domains and sets a cookie (*_GRECAPTCHA*) when the page loads. This helps me prove the enquiry came from a real person rather than a robot.

- **Analytics:** I use **Clicky** website analytics, which collects information about how visitors use the site.
- **Cookies and consent:** my privacy, cookie and terms documents and the consent banner are provided by **Iubenda**, and links to those documents appear on the site. The banner offers "Close", "Learn more" and "Accept". Some third-party cookies, such as reCAPTCHA and Clicky, may be set when the page loads. You can manage your choices through the Iubenda banner and the links on the site.
- **Third-party links:** this website may include links to third-party websites. I do not control those sites and am not responsible for their privacy statements; please read their privacy notices.

Lawful basis for the essential technical operation of the site (server logs needed for security and delivery): legitimate interests. Lawful basis for non-essential cookies, where consent is required: consent, sought through the banner described above.

10. Your rights

You have the right to:

- request access to your personal data (a data subject access request);
- request correction of inaccurate data;
- request erasure of your data;
- object to my processing of your data;
- request restriction of processing;
- request the transfer of your data to another provider (portability); and
- withdraw consent at any time where I rely on consent (this will not affect processing already carried out lawfully).

Requests are free unless they are clearly unfounded, repetitive or excessive. I may need to ask you for information to confirm your identity before responding. I aim to respond within one month, and will notify you if a request is particularly complex and I need longer.

To exercise any right, please put your request in writing to the email or postal address in §2.

11. Complaints

If you are unhappy with how I handle your personal data, please contact me first using the details above — I would welcome the chance to deal with your concerns. If you want to make a formal complaint about how I have processed your personal information, you can contact the Information Commissioner's Office (ICO), the statutory body that oversees data protection law in the UK.

12. Keeping this notice under review

I keep this privacy notice under regular review, and I will update it if the way I work or the services I use change. When an updated notice is approved and published on my website, the published version — with the date shown at the top of it — becomes the version in effect from that date; earlier versions are superseded.

It is important that the personal data I hold about you is accurate and current; please keep me informed if your personal data changes during our work together.