

YTCi and David Spenceley TSTA - Privacy Notice – 26th May 2018

For trainees / supervisees / coaches / psychotherapy clients.

The purpose of this notice is to detail the forms of data that YTCi and David Spenceley may hold regarding you to aid our professional services and how it is used. It is also to inform you of your rights concerning that data. This is to comply with the General Data Protection Regulation (GDPR), as of the 26th May 2018.

In terms of your data usage YTCi administrator of Dave Spenceley are the controllers and processors of the data.

The legal basis for holding this data is based on explicit consent, which means that you are required to opt-in and agree that you are willing for this data to be held. If you wish at anytime to remove that consent, please contact me either via e-mail or phone for us to discuss.

Your Rights

The General Data Protection Regulation (GDPR) provides the following rights for individuals:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling.

The remainder of this notice seeks to work within and in some cases specifically address the rights outlined above.

Data held and its Purpose

For psychotherapy clients the following information may be kept:

- Background Information - Name, age, address, contact details, occupation, relationship status, living situation, dependants, medical doctor details, Family history of mental health problems. Personal history pertaining to relationship history, family history, physical and mental health, criminal activity, trauma and losses and deaths in family or friendship group. Lifestyle patterns concerning smoking, alcohol and food consumption, and sleep pattern. Previous history of counselling and initials goals for therapy.
This is to help in the assessment and direction for the treatment. Contact details should there be a need to contact the client outside of sessions. Medical doctor details, in case of client requiring medical intervention.
- Contact details – in the form of phone numbers on mobile phone, e-mail addresses, and in some cases skype addresses on computer, and mobile phone, and tablet.
This is for contact outside of therapy sessions, where appointments might need to be rearranged.
- Communications – in the form of e-mails, texts, and skype mail.
This is regarding rearranging appointments and aspects affecting the administration of the service
- Diary entries – details of appointments.
This is to record appointments.
- Session Notes that may include dates of sessions, number of sessions, themes discussed within the session.
- From time to time YTCi may contact you regarding YTCi events which may be of interest to you.

For supervisees and coaches the following information may be kept:

- Contact details – in the form of e-mail addresses, phone numbers, and in some cases skype addresses.
This is for contact outside of supervision sessions, where appointments might need to be rearranged.
- Communications – in the form of e-mails, texts, and skype mail.
This is regarding rearranging appointments and aspects affecting the administration of the service

- Professional cv, personal details relevant to professional practice and goals for supervision / coaching
- Diary entries – details of appointments.
This is to record appointments.
- From time to time YTCi may contact you regarding YTCi events which may be of interest to you.

How Data is Processed

- Background information – is initially obtained at an assessment consultation. It takes the form of physical notes. These notes are initially used by the YTCi practitioner to make an initial decision as to whether therapy / coaching / supervision / training will be offered and used to consider the nature of the work that is needed. Subsequently it is held on file should contact details be needed.
- Contact details – input into mobile phone and computer for when contact outside of therapy is required. Furthermore, access to this information can be passed securely to a trusted 3rd party for the purposes of a Professional Will (i.e. that you will be contacted in the event of serious accident, injury, illness or death of the therapist).
- Communications – stored on computer or mobile phone or tablet, following communication.
- Communications to the training and therapy groups – by agreeing to the YTCi policy statement you are agreeing that we can use CC when emailing the various YTCi groups you are a member of.
- Session Notes – stored physically when appropriate following sessions. These notes are used by the therapist when reviewing the progress of therapy. They are also used to form the basis of material taken to supervision where details may be shared with the supervisor in an anonymous way, to help the therapist maintain a good standard of practice. Should they be requested by members of the legal system (i.e. police or solicitors) this would be done with explicit consent from the client. The exception to this would be if the therapist was subpoenaed by a court to disclose the notes.
- Diary entries – Dave Spenceley uses a physical diary other YTCi practitioners may use computer based diaries.

Limits to Confidentiality

In accordance with Transactional Analysis ethical frameworks there are certain limits set around the confidentiality of clients and related data. Firstly, to maintain a safe and up to date practice there is an ethical requirement for psychotherapists to have their practice overseen by a supervisor. This is common practice among all therapists. This means that background information and session notes (whilst not viewed directly) may form the basis of material discussed in supervision.

Secondly, concerning the ethical principle of “above all do no harm” in the event of a client intending to harm themselves, someone else, having a psychological breakdown, or witness to some third party harming another, client information may be shared with a third party. In this instance data concerning background details or session notes will be shared with another to seek to ensure that the client or a third party remains safe.

Right to Access and Rectification

If you wish to see the data I hold on you, you may make a request for access. This requires me to provide you with an electronic copy of the data requested in an accessible format. Data must be provided no later than one month after the date of the request.

If you wish to see the data held, please contact me by e-mail or phone for us to discuss what it is that you wish to see. Should you believe that the data you received is inaccurate in some way, you may request that the data is altered (right to rectification)

Electronic data such as contact details, communications and diary entries are kept on electronic equipment that is password protected, with additional digital security software on the computer to avoid electronic data breaches.

Data is kept for a minimum of 8 years and in the event of being classed as a minor (under 18) until the age of 25 on the basis that it may be required within legal circumstances. Should you wish for your data to be deleted prior to this point please contact me via e-mail or phone.

Once the period for maintaining notes has expired all physical information held will be shredded. In terms of electronic data, this will be deleted from the electronic media and measures taken to ensure that this information cannot be recovered.

In the Event of a Breach

Whilst all measures are taken to ensure that your data is kept confidential there is the possibility that all or part of your data may be accessed by another source – known as a breach. The following outlines what would happen in such an instance. Firstly, all notifications would need to be made within 72 hours of becoming aware of the breach. You would be notified of the breach. At the same time the professional bodies to which I would also be notified. If there is a risk to your “rights and freedoms” (which involves any form of damage to the individual, including emotional distress) then I also need to inform the Information Commissioners Office (ICO). Secondly, an investigation would be undertaken to understand how the data was accessed and ensure that recurrence did not occur.

Lodging a Complaint

If you have concerns over how your data is managed, please contact me by e-mail or phone to discuss your concerns. You may wish to report your concern to the appropriate supervisory authority for the country within which you reside. Contact details for supervisory authorities for EU countries can be found here http://ec.europa.eu/newsroom/article29/item-detail.cfm?item_id=612080.

Do you consent to me using your data in this way:

Y/N

Print Name

Sign

Date