

## Empathy Rooms Ltd

### Privacy Policy

#### 1. Introduction

This Privacy Notice explains in detail the types of personal data we may collect about you when you interact with us. It also explains how we'll store and handle that data and keep it safe.

We know that there's a lot of information here, but we want you to be fully informed about your rights, and how Empathy Rooms Ltd uses your data.

We hope the following sections will answer any questions you have but if not, please do get in touch with us.

It's likely that we'll need to update this Privacy Notice from time to time. We'll notify you of any significant changes, but you're welcome to request a copy at any time to recheck it whenever you wish.

When you are using the Empathy Rooms Ltd website, Empathy Rooms Ltd is the data controller.

#### 2. Who is Empathy Rooms Ltd

Empathy Rooms Ltd is a registered Limited Company providing customers with Mental Health Services including, but not limited to; Counselling, Cognitive Behavioural Therapy (CBT), Psychotherapy, Eye Move Desensitisation Reprocessing (EMDR), Coaching and Mindfulness.

#### 3. Explaining the legal bases we rely on

The law on data protection sets out a number of different reasons for which a company may collect and process your personal data, including:

##### **Consent**

In specific situations, we can collect and process your data with your consent.

For example, when you contract with us for therapy, or make payment for services which require us to maintain clinical notes.

When collecting your personal data, we'll always make clear to you which data is necessary in connection with a particular service.

##### **Contractual obligations**

In certain circumstances, we need your personal data to comply with our contractual obligations.

For example, if you enter therapy we are required to conduct an assessment which asks questions about your mental health and well-being. We will also be storing information about your next of kin, doctor and disclosed health conditions.

### **Public Task**

Your personal data will only be processed if it is necessary for Empathy Rooms Ltd to perform a task in the public interest or for official functions, and the task or function has a clear basis in law.

For example, if you were at risk of harming yourself or another, your personal details could be disclosed to the police in order to secure the help and support required to preserve life.

### **Legal obligation**

If the law requires us to, we may need to collect and process your data.

For example, we can pass on details of people involved in fraud or other criminal activity affecting Empathy Rooms Ltd to law enforcement. If there was a disclosure during therapy of a criminal act, there would be an ethical obligation to report the criminality to the relevant law enforcement.

### **Legitimate interest**

In specific situations, we require your data to pursue our legitimate interests in a way which might reasonably be expected as part of running our business and which does not materially impact your rights, freedom or interests.

For example, we will use demographic information to inform our service delivery or contact you to let you know about new services.

We will also use your address, email and telephone details to send you direct information by post, email and web text telling you about our services

## **4. When do we collect your personal data?**

- When you visit any of our website to seek further information regarding products or services
- When you enter a contract for therapy.
- When you engage with us on social media.
- When you sign up for a promotion with us
- When you contact us by any means with queries, complaints etc.
- When you book any kind of appointment with us or book to attend an event

- When you comment on or review our services e.g. when you complete a satisfaction survey
- When you've given a third-party permission to share with us the information they hold about you.

## **5. What sort of personal data do we collect?**

- If you contract to enter therapy: your name, date of birth, address, telephone number and email address. The contact details of your next of kin. The contact details of your GP (or other health care professionals involved in your care like a psychiatrist). The details of any children in your care if under the age of 16. A brief medical history (including prescribed and recreational drugs). Clinical notes of each therapy session. Audio recording of each therapy session. Image capturing of whiteboard use in therapy session. Recording of outcome measures, including but not limited to CORE10, CORE34, PHQ9, GAD7.
- We may audio or video record (or both) each therapy session. Such recordings are carried out to capture an accurate account of the therapy session and may be used by the therapist for professional reflections and to help inform treatment. Such recordings are held securely via electronic means and protected by encryption.
- If you apply for employment: your name, telephone number and email address, work history, barriers to employment.
- If you enquire about therapy: your name, address, telephone number, email address.
- Details of your interactions with us through contact with staff. For example, we collect notes from our conversations with you, details of any complaints or comments you make.
- Copies of documents you provide to prove your identity where the law requires this. (including your passport and driver's license). This will include details of your full name, address, date of birth and facial image. If you provide a passport, the data will also include your place of birth, gender and nationality.
- Your image may be recorded on CCTV when you visit our premises.
- Your comments, reviews and feedback.
- To deliver the best possible web experience, we collect technical information about your internet connection and browser as well as the country and telephone code where your computer is located, the web pages viewed during

your visit, the advertisements you clicked on, and any search terms you entered.

- Your social media username, if you interact with us through those channels, to help us respond to your comments, questions or feedback.

We'll only ask for and use your personal data collected for the purposes stated. Of course, it's always your choice whether you share such details with us or if you wish to withdraw your consent to use your personal data.

## **6. Cookies, Web beacons and other Similar Technologies**

As further described in our [Cookie Policy](#), we use cookies and similar technologies (e.g., web beacons, pixels, ad tags and device identifiers) to recognise you and/or your device(s) on, off and across different Services and devices. You can control cookies through your browser settings and other tools. You can opt-out from our use of cookies and similar technologies that track your behaviour on the sites of others for third party advertising.

## **7. How and why do we use your personal data?**

We want to give you the best possible client experience. One way to achieve that is to get the richest picture we can of who you are by combining the data we have about you.

We then use this to source appropriate interventions or treatments that are most likely to assist you.

The data privacy law allows this as part of our legitimate interest in understanding our customers and providing the highest levels of service.

Of course, if you wish to change how we use your data, you'll find details in the 'What are my rights?' section below.

Remember, if you choose not to share your personal data with us, or refuse certain contact permissions, we might not be able to provide some services you've asked for, or engage with you in the provision of therapy

Here's how we'll use your personal data and why:

- To access our services. If we don't collect your personal data during registration or contracting, we won't be able to process your details and comply with our legal and ethical obligations.

For example, we require details of your GP/Doctor. It is essential for us to have this information to ensure that the sharing of information can take place if and when required. Such instances of sharing information would include were a client was self-harming or planning to complete suicide. In such cases, information passed to a third party is done so to preserve life or gain additional

help and support for the client. Other such third parties can include but are not limited to: Next of Kin, Police, Social Worker, Community Psychiatric Nurse, Psychiatrist, Carer, Teacher, Support Work or other such points of contact provided by the client. Third-party communications may also take place for legal issues pertaining to court reports, or the reporting of illegal activities to law enforcement.

- For supervision: In lines with best practice and the requirements of the BABCP, BACP and COSCA. The therapists employed, hired or contracted by Empathy Rooms Ltd are required to have a supervisor involved in their practice. The supervisor is an independent and qualified therapist & clinical supervisor who can help oversee and assist the therapist in their profession. It is the role of the supervisor to promote and encourage best professional practice, ensure adherence to ethical frameworks and provide the therapist with general support in their provision of therapy to clients. During supervision sessions, therapists will disclose certain elements about their client work and will discuss issues and features of their therapeutic sessions with clients. As such, you may as a client be discussed during a supervision session, or an audio/video extract from one of your sessions may be listened to or viewed between your therapist and their supervisor. The contract and confidentiality agreement between your therapist and their supervisor ensures that your confidentiality is secured and protected at all times. During supervision sessions, unless there was an issue relating to harm, or criminal activity, your full name and personal details would not be disclosed, and you would be referred to by first name, initials or a pseudonym. The therapist/supervisor relationship is important for the profession and a strict requirement for delivering the highest standard of care. It is a requirement that your therapist employs and participates in monthly supervision. If you do not allow for your treatment to be discussed in supervision, then no therapeutic relationship can be established and Empathy Rooms Ltd would be unable to assist you in the provision of therapy.
- To respond to your queries and complaints, handling the information you sent enables us to respond. We may also keep a record of these to inform any future communication with us and to demonstrate how we communicated with you throughout. We do this on the basis of our contractual obligations to you, our legal obligations and our legitimate interests in providing you with the best service and understanding how we can improve our service based on your experience.
- To protect our business. This includes using your personal data to maintain, update and safeguard your details. We'll also monitor your browsing activity with us to quickly identify and resolve any problems and protect the integrity of our website. We'll do all of this as part of our legitimate interest.
- With your consent, we will use your personal data and preferences to keep you informed by email, web, text and telephone about relevant services and

training. Of course, you are free to opt out of hearing from us by any of these channels at any time. If you are a therapy client, we will not send you any promotional content at any time. After therapy has ended, we would only ever issue a feedback request form. No further contact is typically made to ensure that the client experiences a full therapeutic ending.

- To send you relevant, personalised communications by post in relation to products and services. We'll do this on the basis of our legitimate business interest. No postal communications will be made with therapeutic clients after therapy ends unless explicitly requested.
- You are free to opt out of hearing from us by post at any time.
- To send you communications required by law or which are necessary to inform you about our changes to the services we provide you. For example, updates to this Privacy Notice. These service messages will not include any promotional content and do not require prior consent when sent by email or text message. If we do not use your personal data for these purposes, we would be unable to comply with our legal obligations.
- To develop, test and improve the systems, services and products we provide to you. We'll do this on the basis of our legitimate business interests.
- To comply with our contractual or legal obligations to share data with law enforcement.
- To protect our customers, premises, assets and partners from crime, we operate CCTV systems in our premises and car parks which record images for security. We do this on the basis of our legitimate business interests.
- If we discover any criminal activity or alleged criminal activity through our use of CCTV, we will process this data for the purposes of preventing or detecting unlawful acts. We aim to protect the individuals we interact with from criminal activities.
- For example, when a court order is submitted to share data with law enforcement agencies or a court of law.
- To send you survey and feedback requests to help improve our services. These messages will not include any promotional content and do not require prior consent when sent by email or text message. We have a legitimate interest to do so as this helps make our services more relevant to you. Of course, you are free to opt out of receiving these requests from us at any time by updating your preferences in your online account

- To build a rich picture of who you are your therapeutic needs, and to inform our business decisions, we'll combine data captured from third parties and data from publicly-available lists as we have described in the section What Sort of Personal Data do we collect? We'll do this on the basis of our legitimate business interest.

For example, by combining this data, this will help us personalise your experience and help us to decide which therapeutic interventions which may best assist you during your therapeutic journey. We also use anonymised data from clients' histories to identify trends and requirements in therapy. This may then guide which services we provide and which treatment protocols offer the best outcomes.

Sometimes, we'll need to share your details with a third party who is providing a service (such as a client referral to another therapist or service provider). We do so to maintain our service agreement with you. Without sharing your personal data, we'd be unable to fulfil your request.

## **8. Combining your data for personalised direct marketing**

We want to offer you services that are most relevant to your interests at particular times. To help us form a better, overall understanding of you as a customer engagement in training, we combine your personal data gathered as described above. For this purpose we also combine the data that we collect directly from you with data that we obtain from third parties to whom you have given your consent to pass that data onto us. **We do not use** direct marketing with client's who are engaged or who have been engaged in therapy. We will never try to market a new form of therapy or encourage you to re-enter therapy after you have completed your goals. Client's can always re-engage in therapy if they chose to do so, but Empathy Rooms Ltd will never seek to market it's clients (past or present).

## **9. How we protect your personal data**

We know how much data security matters to all our customers. With this in mind we will treat your data with the utmost care and take all appropriate steps to protect it.

We regularly monitor our system for possible vulnerabilities and attacks, and we carry out penetration testing to identify ways to further strengthen security.

Empathy Rooms Ltd is Registered with the Information Commissioner's Office (ICO)

Registration Reference: ZA229205

## **10. How long will we keep your personal data?**

In line with professional best practice, and the guidance of the BACP, BABCP, COSCA and Insurance requirements, we may keep your details for a period of SIX YEARS. This would include all type of communication participated in during therapy (Written Notes, Audio Files, Images, Drawings, Emails and Text Messages). After the period of 6 years has lapsed or our contractual obligations have been met, all data IN ALL FORMATS would be destroyed by means which would not allow identification of the client.

Out with the 6-year period, whenever we collect or process your personal data, we'll only keep it for as long as is necessary for the purpose for which it was collected.

At the end of that retention period, your data will either be deleted completely or anonymised, for example by aggregation with other data so that it can be used in a non-identifiable way for statistical analysis and business planning.

## **11. Who do we share your personal data with?**

We sometimes share your personal data with trusted third parties. We do this because you have specifically requested it; for reasons of keeping you safe, or for other legal or safety requirements. There are also business requirements covering accounts, IT systems and processes.

For example, Next of Kin, Police, Social Worker, Community Psychiatric Nurse, Psychiatrist, Carer, Teacher, Support Work, IT suppliers,

Here's the policy we apply to those third parties to keep your data safe and protect your privacy:

- We provide only the information they need to perform their specific services.
- They may only use your data for the exact purposes we specify in our contract with them.
- We work closely with them to ensure that your privacy is respected and protected at all times.
- We supply extracts or clinical notes from your client file via encrypted email or registered postal mail.

Examples of the kind of third parties we work with are:

- IT companies who support our website and other business systems.
- Other professionals involved in your care.
- Emergency services who can assist in protecting your life.
- Law enforcement officers who request information via a warrant.

Sharing your data with third parties for their own purposes:

We will only do this in very specific circumstances, for example:

- For fraud management, we may share information about fraudulent or potentially fraudulent activity in our premises or systems. This may include

sharing data about individuals with law enforcement bodies.

- We may also be required to disclose your personal data to the police or other enforcement, regulatory or Government body, in your country of origin or elsewhere, upon a valid request to do so. These requests are assessed on a case-by-case basis and take the privacy of our customers into consideration.
- For further information please contact our Data Protection Officer.

To help personalise your journey through Partnership websites we currently use the following companies who will process your personal data as part of their contracts with us:

- Quick Books
- Cloud Cover IT
- Facebook
- Twitter

## **12. What are your rights over your personal data?**

An overview of your different rights

You have the right to request:

- Access to the personal data we hold about you, free of charge in most cases.
- If you require a full unabridged copy of your client file, this can be requested and provided for an agreed fee.
- The correction of your personal data when incorrect, out of date or incomplete.
- That we stop using your personal data for direct marketing (either through specific channels, or all channels).
- That we stop any consent-based processing of your personal data after you withdraw that consent.
- Review by a Partner of any decision made based solely on automatic processing of your data (i.e. where no human has yet reviewed the outcome and criteria for the decision).

You can contact us to request to exercise these rights at any time as follows:

To ask for your information please contact:

The Data Protection Officer  
Empathy Rooms Ltd  
22 Toftcombs Avenue  
Stonehouse

South Lanarkshire  
ML9 3QY

Or via: [info@empathyrooms.com](mailto:info@empathyrooms.com)

To ask for your information to be amended please contact your therapist.

If we choose not to action your request, we will explain to you the reasons for our refusal.

**Your right to withdraw consent:**

Whenever you have given us your consent to use your personal data, you have the right to change your mind at any time and withdraw that consent.

**Where we rely on our legitimate interest:**

In cases where we are processing your personal data on the basis of our legitimate interest, you can ask us to stop for reasons connected to your individual situation.

We must then do so unless we believe we have a legitimate overriding reason to continue processing your personal data.

**Direct marketing:**

You have the right to stop the use of your personal data for direct marketing activity through all channels, or selected channels. We must always comply with your request.

**Checking your identity:**

To protect the confidentiality of your information, we will ask you to verify your identity before proceeding with any request you make under this Privacy Notice.

If you have authorised a third party to submit a request on your behalf, we will ask them to prove they have your permission to act

**13. How can you stop the use of your personal data for direct marketing?**

You can stop direct marketing communications from us by contacting us via:

**Post:**  
The Data Protection Officer  
Empathy Rooms Ltd  
22 Toftcombs Avenue  
Stonehouse  
South Lanarkshire  
ML9 3QY

Email us at: [info@empathyrooms.com](mailto:info@empathyrooms.com)

Please note that you may continue to receive communications for a short period after changing your preferences while our systems are fully updated.