Privacy Notice

Power Of Two Psychotherapy

Jon Musker, MBACP (Membership No. 418519)

Last updated: 14 August 2026

1. Introduction

Your privacy is very important to me and you can be confident that your personal information will be kept safe and secure, and will only be used for the purpose it was given to me. I adhere to current data protection legislation, including the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, and the Privacy and Electronic Communications (EC Directive) Regulations 2003.

This privacy notice tells you what I will do with your personal information from initial point of contact through to after your therapy has ended, including:

- Why I am able to process your information and what purpose I am processing it for
- Whether you have to provide it to me
- How long I store it for
- Whether there are other recipients of your personal information
- Whether I intend to transfer it to another country
- Whether I carry out automated decision-making or profiling
- Your data protection rights

I am happy to talk through any questions you have about how I handle your data. My contact details, including email and WhatsApp, are on the front page of my website at https://www.poweroftwotherapy.com - any of those routes reaches me directly.

‘Data controller’ is the term used to describe the person or organisation that collects and stores, and has responsibility for, people’s personal data. In this instance, the data controller is me, Jon Musker, trading as Power Of Two Psychotherapy.

I am registered with the Information Commissioner’s Office, registration number ZB943737.

2. My lawful basis for holding and using your personal information

The UK GDPR states that I must have a lawful basis for processing your personal data. Different bases apply at different stages of our work, and to the two different kinds of information I hold: ordinary personal data, such as your name and contact details, and 'special category' data, which includes information about your health and much of what you tell me in sessions.

Making an enquiry. When you first contact me, I process your name, contact details and a brief note of what you are seeking help with, so that I can respond and we can decide whether to work together. My lawful basis is Article 6(1)(b) - steps taken at your request before entering into a contract. I ask you not to send me detailed health information at this stage, and I keep what you do send to a minimum.

While we are working together. For your ordinary personal data, my lawful basis is Article 6(1)(b) - the performance of our agreement. For special category data, my lawful basis is Article 9(2)

(h), the provision of health or social care and treatment, together with the condition at paragraph 2 of Part 1 of Schedule 1 to the Data Protection Act 2018. That condition applies to processing by a person who owes a duty of confidentiality under a rule of law, which I do.

I will ask for your consent at the start of our work and you can withdraw from therapy at any time, but consent is not the legal basis on which I hold your records - my insurer requires me to keep them for a fixed period.

After our work ends. I continue to hold your clinical record so that I can respond to any question, complaint or legal claim that arises later. My lawful basis is Article 6(1)(f), legitimate interests, and for special category data Article 9(2)(f), the establishment, exercise or defence of legal claims. How long I keep it, and what I do if you ask me to delete it sooner, is set out under 'After counselling has ended' below.

Safeguarding. Where I need to make a safeguarding disclosure I may not be able to rely on your agreement, either because seeking it would increase the risk to you or to someone else, or because it cannot reasonably be obtained. In those circumstances I rely on Article 6(1)(d), vital interests, where this is necessary to protect someone's life, or Article 6(1)(f), legitimate interests, for other safeguarding disclosures. For special category data I rely on Article 9(2)(c), vital interests where you are physically or legally incapable of giving consent, or Article 9(2)(g), substantial public interest, relying on the condition at paragraph 18 of Part 2 of Schedule 1 to the Data Protection Act 2018 - the safeguarding of children and of individuals at risk. I disclose only what is necessary for the safeguarding purpose, and only to the person or body able to act on it; I do not share the wider content of your therapy. My Safeguarding Policy, read together with this notice, is the appropriate policy document required when I rely on paragraph 18. Both are published on my website.

Complaints. If a complaint is made about my practice, I process personal data - which may include special category data about a client - in order to respond to it. My lawful basis is Article 6(1)(f), legitimate interests, and for special category data Article 9(2)(f), the establishment, exercise or defence of legal claims. A complaint may be brought to BACP by someone other than the client, including a third party, and in that situation I may need to process a client's information without having been asked to do so by that client. Article 9(2)(f) does not require consent, and I am not able to decline to respond to a properly constituted professional conduct investigation. Where it is safe and appropriate to do so, I will tell the client what has been disclosed and why.

I do not carry out any automated decision-making or profiling.

Do you have to give me your information? You do not have to give me any personal information, but I cannot offer you therapy without a name, a way of contacting you, and enough information to work with you safely. If you choose not to provide it, I may not be able to work with you.

Information held outside the UK. Some of the suppliers I rely on to run my practice are based outside the UK, or store data outside it. Where that is the case, I only use suppliers who provide appropriate safeguards under UK data protection law - either because the country has been assessed as offering adequate protection, or under the UK International Data Transfer Agreement or Addendum.

3. How I use your information

Initial contact

When you contact me with an enquiry about my counselling services, I will collect information to help me respond to your enquiry. This will include your name, contact details, and a brief note of what you are seeking help with. Alternatively, your GP or another health professional may send me

your details when making a referral, or a parent or trusted individual may give me your details when making an enquiry on your behalf.

If you decide not to proceed, I will ensure all your personal data is deleted within three months. If you would like me to delete this information sooner, just let me know.

While you are accessing counselling

Everything you discuss with me is confidential. That confidentiality will only be broken where:

- there is a serious risk of harm to you or to another person
- I am required to disclose information by law or by order of a court
- there is a safeguarding concern involving a child or vulnerable adult
- disclosure is required under counter-terrorism, money laundering or drug trafficking legislation
- I need to discuss our work in clinical supervision (see below)

I will always try to speak to you about this first, unless there are safeguarding issues that prevent this.

I keep two different kinds of record, and they are treated differently.

Your clinical record. This is a brief factual record that I am required to keep. It contains:

- your personal and contact details
- the date of our initial consultation, what you came to me for, consent to the terms of the agreement recorded, the agreed focus of our work, and how you were referred
- the date of each session and whether you attended
- anything of significance, such as a risk disclosed, a change in the focus of our work, or anything I suggested at the end of our work together
- the date our work ended and how it ended

This is deliberately minimal. It does not contain a record of what you discussed with me.

My working notes. These are brief notes I make for my own reflection and to take to supervision. They are stored encrypted and separately from your contact details, so the two cannot easily be linked. I delete all working notes within three months of our work ending.

Safeguarding records. Where a safeguarding concern arises, I record what was said or observed, what I decided and why - including a decision not to act - who I consulted or contacted, what was shared, and the lawful basis I relied on. These records form part of your clinical record and are kept for the same period. My Safeguarding Policy sets out in full how such concerns are handled.

Complaint records. If a complaint is made about my practice, I keep a record of what was raised, what I did, and the outcome, together with the related correspondence. This is held securely and separately from my working notes, and is kept for seven years from the conclusion of the complaint, which may be longer than the retention period for the underlying clinical record. My Complaints Policy sets out how complaints are handled.

Clinical supervision. As required by the BACP Ethical Framework, I discuss my client work in regular supervision. My supervisor is bound by the same confidentiality obligations as I am, and I do not use your name in supervision.

Messages and emails. This covers text messages, WhatsApp messages and email. For security

reasons I do not retain messages for more than three months. If a text contains information that belongs in your clinical record, I will transfer it there and delete the original. Email correspondence is deleted after three months, unless it forms part of your clinical record or may be needed to respond to a complaint or legal claim, in which case it is kept for the same period as your clinical record.

Online sessions. Video and audio sessions are not recorded unless we have specifically agreed to record them. The platform I use may change from time to time; I choose providers that encrypt sessions and that do not record them by default. Platforms typically retain some technical information about calls, such as the time and duration.

After counselling has ended

Once counselling has ended, your clinical record will be kept for seven years from the end of our contact with each other, and is then securely destroyed. If you were under 18 when we worked together, your record is kept until your 25th birthday. This period is set by my professional indemnity insurer and allows me to respond to any complaint or legal claim.

If you want me to delete your information sooner than this, you may ask, and I will consider your request. I may not be able to agree to it while my insurer requires me to keep a record.

4. Third party recipients of personal data

I sometimes share personal data with third parties where necessary to run my practice. The categories of recipient are:

- IT and communications suppliers (email, messaging, secure file storage, video conferencing)
- my accountant and, where relevant, professional advisers
- my professional indemnity insurer, in the event of a claim
- BACP, and any other professional body or regulator, in connection with a complaint or a professional conduct investigation
- my clinical supervisor, as described above
- HMRC, to meet my legal tax obligations
- emergency or safeguarding services, in the limited circumstances described above
- local authority adult or children's safeguarding teams, and the police, in the limited circumstances described in my Safeguarding Policy

Where a supplier processes personal data on my behalf I have a written contract restricting them to the task contracted for. I do not sell your data or use it for marketing. If you would like to know which specific suppliers I use, just ask and I will tell you.

5. Your rights

I try to be as open as I can be in terms of giving people access to their personal information. You have the right to:

- ask for a copy of any information I hold about you
- ask me to correct any mistakes in it
- ask me to delete your personal information
- ask me to limit how I use your personal information, or to stop processing it
- object to my use of your personal data in some circumstances

- withdraw your consent at any time, where consent is my lawful basis

Some of these rights are not absolute. In particular, consent is not the lawful basis for most of the records I keep, so withdrawing it does not by itself require me to delete them; and I may not be able to act on a deletion request while my insurer requires me to hold a record. If that happens I will explain why.

You can read more about your rights at ico.org.uk/your-data-matters.

If I do hold information about you I will:

- give you a description of it and where it came from
- tell you why I am holding it, how long I will store it, and how I made that decision
- tell you who it could be disclosed to
- let you have a copy of the information in an intelligible form

To make a request for any personal information I may hold about you, please put your request in writing using any of the contact routes on the front page of my website. I will respond within one month.

If you have any complaint about how I handle your personal data, please get in touch with me directly using any of those contact routes. I would welcome any suggestions for improving my data protection procedures. Complaints about any other aspect of my practice are handled under my Complaints Policy, which is published on my website and explains how to raise a concern with me and how to take it to BACP.

If you want to make a formal complaint about the way I have processed your personal information, you can contact the ICO, the statutory body that oversees data protection law in the UK: ico.org.uk/make-a-complaint.

6. Data security

I take the security of your data seriously. I do not keep paper records. Electronic records are held on encrypted, password-protected devices and accounts, with two-factor authentication where available. My working notes are stored separately from your contact details. I keep only what I need, for no longer than I need it.

7. Visitors to my website

My website at https://www.poweroftwotherapy.com is hosted by Cloudflare. I have not installed any analytics or tracking code on the site, and I do not attempt to identify individual visitors.

Cloudflare automatically logs some technical information as part of hosting and protecting the site, including IP addresses, browser type and pages requested, and may make summary statistics available to me. IP addresses can count as personal data. I use this only to understand how the site is being used in general terms. My lawful basis is legitimate interests - specifically, keeping the site available, secure and useful.

Cloudflare may set cookies that are strictly necessary for the site to work and to protect it against attacks. No non-essential or advertising cookies are set.

Cloudflare processes some of this information on my behalf as my processor, and acts as a data controller in its own right for other parts, including information it uses to run and secure its network. You can read Cloudflare's privacy notice at https://www.cloudflare.com/privacypolicy/

My website has no contact form. If you contact me using the email address or WhatsApp details

shown on the site, that information comes to me directly and is handled as described under ‘Initial contact’ above.

8. Changes to this notice

I review this privacy notice regularly and will update it when my practice changes. This version was published on the date specified at the top of the document.