



**Kim O'Meara | Psychologist**

## Privacy Statement

**Kim O'Meara | Psychologist** (hereafter “the counselor” or “we”) is strongly committed to protecting personal data. This Privacy Statement describes why and how we collect and use personal data and provides information about individuals’ rights. We may use personal data provided to us for any of the purposes described in this privacy statement or as otherwise stated at the point of collection.

This privacy statement is applicable to the collection/processing of personal data of clients, potential clients and other persons that visit our website [www.kimomeara.com](http://www.kimomeara.com) or will be in contact with us.

In this privacy statement you can find information about how the counselor handles personal data. If, after reading this privacy statement, you still have questions about the way in which the counselor handles personal data, you want to exercise your rights under the *Algemene Verordening Gegevensbescherming* (General Data Protection Regulation, “GDPR”) or other laws and regulations regarding personal data as stated in this privacy statement, or you wish to submit a complaint about the use of your personal data, then please contact us by telephone: +31642672483 or email [contact@kimomeara.com](mailto:contact@kimomeara.com).

If you are not satisfied with the handling of your complaint, or if you prefer not to submit your complaint with the counselor, you can also submit it with the Dutch Data Protection Authority, via the website [www.autoriteitpersoonsgegevens.nl](http://www.autoriteitpersoonsgegevens.nl).

The counselor is responsible for the processing of your personal data and will exercise the greatest possible care, in compliance with the GDPR.

### **What personal data does the counselor process?**

#### File

For proper treatment it is necessary that a file is created. This is also a legal obligation imposed by the *Wet Geneeskundige Behandelingsovereenkomst* (“WGBO”). Your file will contain notes about the state of your physical/mental health, as well as information regarding assessments/observations and counseling interventions/treatments performed during the course of treatment/counseling. The file also includes information necessary for your treatment, for instance, information obtained (with your explicit consent) from other health care providers (e.g. your general practitioner).

The counselor also processes personal data that you provide to the counselor. These include your contact details such as your name, address, email address and telephone number. Furthermore, it concerns personal data that is relevant to the file and, depending on the situation, it may also concern sensitive and/or special personal data such as medical data.

The counselor will handle your data carefully and ensure that unauthorized persons do not have access to your data through (digital) security; only the counselor, or if applicable, other authorized/necessary persons (please see the section “Who will your personal data be shared with?” below for further details) may have access to your data. The counselor is legally and ethically bound to maintain confidentiality

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(except under extreme circumstances where the counselor may be legally/ethically obligated to release information to relevant authorities/parties).

### Invoicing

The invoice that you will receive from the counselor will typically contain the following information:

- Your name, address, and place of residence
- Your date of birth
- Date(s) of session(s)
- A short description of the services provided, such as, 'counseling session'
- Cost of the session(s)
- Payment details

### Contact

If you contact us via the contact form on the website, email or telephone, the data you provide to us will be processed, for instance: the contact details you provide (e.g. name, email address, telephone number) and the reason why contact is sought (e.g. because you have a question).

### Analysis Website Visitors

Finally, analytical data is processed about (the computer/mobile phone of) visitors to the [www.kimomeara.com](http://www.kimomeara.com) website, via cookies that are placed when you visit the website. These cookies store (part of) the visitor's IP address. Please see our Cookie Policy below.

### **For what purposes, and on what basis, is personal data processed?**

#### File

The counselor uses the (personal) data that you have provided in the context of a treatment process. Because it is possible that sensitive and/or special personal data are processed during the process, permission is requested to process your personal data. You consent by signing the Informed Consent and Counseling Agreement. If you do not give this consent, you will unfortunately not be able to use the services of the counselor, because the counselor cannot perform the services without processing personal data that are relevant to the file.

You have the right to withdraw your consent. The counselor is then no longer allowed to process your data. The counselor will no longer be able to provide services to you from the moment the consent is withdrawn and will then have to close the file immediately.

The data from your file can also be used for the following purposes:

- To inform other healthcare providers, for example when the therapy has been completed or when referring to another practitioner. This only happens with your explicit consent.
- If a colleague takes over your counseling/therapy during my absence.
- In colleague consultation or supervision (during which only anonymized data will be used, personal identifying information will not be shared).
- If I want to use your data for another reason, I will first inform you and explicitly ask for your permission.

### Invoicing

The payment information you have provided is used to bill for services. This processing is necessary to execute/fulfill the agreement you have with the counselor.

### Contact

The contact details you provide to us are used to contact you when necessary, for example, to answer a question, to schedule or change an appointment, or to send you an invoice.

### Analysis Website Visitors / Cookie Policy

The website only places essential cookies (visitors may choose to enable non-essential cookies). In the future, the counselor may collect data about the visitors to the website, such data will only be used to keep statistics about the visit to the website (for example, to see which pages are viewed the most). The data is kept anonymous.

### **How long will your personal data be stored?**

#### File

The file, and the personal data contained therein, will in principle be kept for twenty years (after the file has been closed) as required by the WGBO. In exceptional cases, the file will be kept for longer than twenty years, for example if the retention period is interrupted, or if the counselor is of the opinion that there is another legitimate interest in keeping the file longer.

#### Administration

The records, including the invoices and other documents on which the personal data of the parties are stated, are kept for a period of seven years, after the end of the financial year in order to comply with the fiscal retention obligation.

#### Further Contact Details

Other contact details will be kept for one year after the last contact, unless you request it to be deleted earlier.

### **Who will your personal data be shared with?**

Your data is stored in a digital file and can appear in emails that the counselor sends or receives, and are thus stored (and therefore processed) by the ICT provider, if applicable. In addition, and if applicable, those authorized by the counselor to perform necessary functions (e.g. administrative persons/providers, IT administrators/providers, accounting persons/providers) may have access to your data. If applicable, the counselor has entered into a data processing agreement with these parties in which compliance with the GDPR is imposed and at least the same level of security and confidentiality is regulated as you may expect from the counselor. Any persons engaged by the counselor, will have signed a Non-Disclosure Agreement with the counselor to further protect individual privacy, unless by their profession/professional affiliation (e.g. lawyers, accountants) these persons are already legally bound to maintain confidentiality. The counselor is legally and ethically bound to maintain confidentiality (except under extreme circumstances where the counselor may be legally/ethically obligated to release information to relevant authorities/parties).

If you submit a complaint against the counselor relating to the handling of your file containing your personal data, your personal data may be provided to the ABvC (Algemene Beroepsvereniging voor Counselling or General Professional Organization for Counseling) and/or to the SCAG (Complaints and Dispute Settlement Center in the Complementary Care). Your data will be treated confidentially by both authorities.

Your data will not be provided to third parties unless it is ordered by a court, or unless applicable laws and regulations require the provision of certain data.

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### **How is your personal data secured?**

Appropriate technical and organizational security measures have been taken to protect your personal data against loss, misuse and unauthorized access by third parties. In addition, and if applicable, we also oblige our ICT provider to take such appropriate technical and organizational security measures.

Furthermore, it is important to remember that certain forms of audio, visual, or written communication cannot be guaranteed to be secure. Please keep this in mind if and when you share personal or sensitive information with the counselor via post, email, text, video, audio chat/messages or phone (this includes the use of services like WhatsApp or Facetime). We recommend that you never send an email message with personal/sensitive data to anyone, not even a primary care provider such as a general practitioner.

### **What are your rights?**

You have the following rights:

- The right to inspect your personal data and receive a copy thereof.
- The right to rectification of your personal data if it is incorrect or incomplete.
- The right to object to the processing and/or – in certain cases – the right to limit the processing of your personal data.
- In certain cases: the right to have your personal data deleted (“right to be forgotten”).
- The right to obtain your personal data in a structured, commonly used and machine-readable form, and to transfer that data to another person.

For more information about these rights and when you can exercise them: see Articles 15 to 20 of the General Data Protection Regulation.

You can exercise your rights by contacting the counselor at the email address or telephone number stated at the end of this privacy statement.

### **Amendments / Updates**

Sometimes something can change in the personal data being processed, or the applicable regulations. In that case, this privacy statement can be adjusted. In case of major changes, clients will be notified by email. The most recent version is always available on our website or upon request from: [contact@kimomeara.com](mailto:contact@kimomeara.com).

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