



FAMILY AND THERAPY

Family and Therapy Note-Taking and Storage Policy

1. Purpose of Note-Taking

- **Clinical Use:** Support therapeutic work, aid in case continuity, and facilitate supervision. Notes help track client progress, plan future sessions, and provide a reference for clinical decisions.
- **Legal and Ethical Requirements:** Ensure accountability and compliance with legal obligations. Accurate records can protect both the client and the therapist in case of legal issues or complaints.

2. Types of Records

- **Session Notes:** Summaries of client sessions, including key issues discussed, interventions used, and client progress. These notes should be factual and concise, avoiding subjective opinions. See the template and example provided.
- **Administrative Records:** Appointment schedules, consent forms, and financial records. These records should be kept separate from clinical notes to ensure easy access and compliance with legal and ethical standards.
- **Correspondence:** Emails, letters, and other forms of communication with clients. All communications should be documented and stored securely to maintain confidentiality and comply with data protection laws.

3. Storage Methods

- **Paper Records:**
 - **Security:** Store in a locked filing cabinet within a secure room. Ensure that only authorised personnel have access to these records.
 - **Duration:** Retain for a minimum of seven years after the end of therapy or longer if required by law or specific circumstances (e.g., working with children). This is in line with BACP and NCPS guidelines.
 - **Disposal:** Use secure shredding services for confidential destruction of paper records. Ensure that all records are completely destroyed to prevent any possibility of data recovery.
- **Electronic Records:**
 - **Security:** Use encrypted storage solutions and ensure devices are password-protected and equipped with up-to-date antivirus software.



Regularly update passwords and use two-factor authentication where possible.

- **Cloud Storage:** Utilize secure, GDPR-compliant cloud services with two-factor authentication. Ensure that the cloud provider complies with relevant data protection regulations.
- **Backup:** Regularly back up electronic records to a secure, separate location to prevent data loss. Ensure that backups are also encrypted and stored securely.

4. Data Protection Compliance

- **GDPR:** Ensure compliance with GDPR requirements, including obtaining explicit consent for data processing and providing clients with access to their records upon request within one month.
- **Data Minimisation:** Collect only the necessary data for the purposes of therapy and avoid excessive detail in notes that could pose a privacy risk. Regularly review and delete any unnecessary data.

5. Confidentiality and Access

- **Client Access:** Provide clients with a copy of the Privacy Notice Policy.
- **Third-Party Requests:** Only share records with third parties (e.g., legal professionals, courts) with explicit client consent or under legal obligation. Document all instances of third-party access requests and the rationale for granting access.
- **Supervision and Training:** Use anonymised case material for supervision and training purposes to maintain client confidentiality. Ensure that any identifiable information is removed or masked to protect client privacy.

6. Electronic Communication

- **Email and Messaging:** Use encrypted email services and secure messaging platforms for client communication. Password-protect sensitive documents and share passwords through a separate communication channel.
- **Record-Keeping:** Log all electronic communications in the client's file. Ensure that all communications are stored securely and comply with data protection regulations.



7. Insurance Requirements

- **Documentation:** Ensure all records are detailed enough to meet the requirements of professional indemnity insurance providers like Towergate and Holistics. Accurate records are essential for defending against potential legal claims.
- **Incident Reports:** Maintain a log of any incidents or complaints, including steps taken to resolve them, to provide transparency and accountability. This log should be kept separate from clinical records and reviewed regularly. This needs to be communicated fully with Family and Therapy.

8. Review

- **Regular Review:** Conduct regular reviews of record-keeping practices to ensure ongoing compliance with ethical guidelines and legal requirements. Regular audits help identify and address any issues promptly.

9. Training and Awareness

- **Staff Training:** Provide regular training for all staff on data protection, confidentiality, and secure record-keeping practices. Ensure that all staff understand their responsibilities and the importance of maintaining confidentiality.
- **Policy Updates:** Keep all staff informed of any changes to policies and procedures, ensuring they understand and implement them consistently. Regular updates help maintain compliance with changing regulations.

10. Ethical and Professional Standards

- **Accuracy and Appropriateness:** Keep accurate and appropriate records, ensuring they are adequate, relevant, and limited to what is necessary for the type of service provided (BACP Ethical Framework).
- **Responsibility for Note-Taking:** While not legally required to keep notes, there is a growing expectation to do so, and therapists must provide reasons for not making notes if a complaint is submitted (BACP) ([BACP](#)).
- **Consistency with Ethical Framework:** Comply with the ethical standards set by professional bodies, including the need to work ethically and comply with data protection laws (BACP Ethical Framework).



Additional Guidance

- **Therapist Discretion:** Individual therapists decide how to keep notes, influenced by their training, the type of therapy they provide, and their professional body's ethics. They should inform clients about their note-taking practices before therapy begins (BACP) ([BACP](#)).
- **Record Retention:** No specific time limit for keeping therapeutic records; therapists should decide an appropriate time limit based on data protection laws and ethical guidelines, informing clients accordingly (BACP) ([BACP](#)). The Family and Therapy requirement is one year.
- **Security Measures:** Ensure the security of records using basic security measures like locked filing cabinets for paper records and encryption for electronic records (BACP).

Integration of Family and Therapy Specifics

- **Lawful Basis for Processing Data:** Family and Therapy (F&T) processes personal data based on consent and contract, as per Article 6 of the UK GDPR. Clients provide consent through a signed referral form and a therapeutic contract.
- **Client Rights:** Clients have rights under the UK GDPR, including access to their records, the right to correct or delete their data, and the right to data portability. Clients should be informed of these rights through a privacy notice.
- **Data Controller Responsibilities:** F&T acts as a joint data controller and ensures all counsellors are registered with the ICO. Therapists must comply with data protection laws and are responsible for secure data handling.
- **Retention and Disposal:** Client data should be retained for the duration of the therapeutic contract and seven years after. Digital records must be deleted once the contract ends unless clients request earlier deletion. Paper records should be securely shredded.
- **Confidentiality and Exceptions:** Confidentiality is assured, with legal exceptions such as threats of harm or court orders. Clients should be informed about these exceptions and consent to the handling of their data.

Freedom of Information Act (FOIA)

- **FOIA Relevance:** Although the Freedom of Information Act 2000 allows individuals to request information held by public authorities, it does not typically apply to private counselling practices. However, understanding FOIA is crucial for therapists working within or alongside public sector organisations. It ensures that therapists are aware of the legal obligations regarding the transparency and availability of information in such contexts.



NCPS Guidance Integration

- **Record Keeping:** Ensure records are appropriate, accurate, relevant, lawful, and secure. Maintain ethical and legal awareness, and consider the possibility of clients or external parties requesting access to notes.
- **Initial Contact:** Safeguard initial contact information and delete it if the client does not proceed with therapy. Ensure that all initial contacts are handled with confidentiality and that unnecessary data is promptly deleted.
- **Data Minimisation:** Collect only the minimum necessary information to provide therapy services. Regularly review data collection practices to ensure compliance with data minimisation principles.
- **Therapeutic Will:** Prepare a therapeutic will to manage client records in the event of the therapist's incapacity or death, ensuring confidentiality and proper handling. Designate a trusted individual to handle records securely and in accordance with client wishes.

This policy is designed to align with the guidance provided by the BACP, NCPS, and insurance standards from providers like Towergate and Holistics, ensuring compliance and high standards of client care and confidentiality.

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