



Sian-Claire Counselling Data Protection Policy

This policy relates to the handling of data at Sian-Claire Counselling. This policy ensures that any personal details submitted to Sian-Claire Counselling are processed and stored sensitively and securely.

Aims

- 1) Process personal data fairly and lawfully and not process data unless these principles and the rules set out here are followed.
- 2) Obtain personal data only for specified and lawful purposes, and not process data in any manner incompatible with that purpose or those purposes.
- 3) Obtain personal data that is adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- 4) Keep personal data accurate and up to date.
- 5) Not keep personal data for longer than is necessary for their legitimate purposes.
- 6) Process personal data in accordance with the rights of data subjects under the Data Protection Act, including GDPR regulations.
- 7) Take appropriate technical and organisational measures against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- 8) Not transfer personal data to a country or territory outside of the UK

What is Data Protection?

The Data Protection Act (2008) and General Data Protection Regulation (GDPR 2018) aims to protect individual's fundamental rights and freedoms, notably privacy rights, in respect of personal data processing.

The Act applies to paper and electronic records held in structured filing systems containing personal data, meaning data which relates to living individuals who can be identified from the data.

Data protection operates by giving individuals the right to gain access to their personal data. This is done by making a subject access request in which they are entitled to:

- a description of their personal data
- the purposes for which they are being processed
- details of whom they are or may be disclosed to

Individuals can also prevent processing of their data in certain circumstances, optout of having their data used and apply for the 'Right to be Forgotten'.

Sian-Claire Counselling processes personal Client information on a secure and password protected computer and as such, is registered with the ICO as a data protection officer (reference number ZA774054)

Data Subjects

Data Subjects are defined as being individuals about whom information is held:

- Complainants, correspondents and enquirers



- Clients requesting counselling services

Data Classes

Data classes are the types of data which are being, or which are to be processed:

- Clients: Personal details (name, address, date of birth, equal opportunities information) Agencies & Healthcare professionals previously involved Reason for requesting my services
- Enquiries: Requests for information via the website Sian-ClaireCounselling.com

Recipients

Recipients are individuals or Organisations to whom Sian-Claire Counselling may wish to disclose data. This list does not include any person who may be required by law to disclose in any particular case, for example if required by the police under a warrant.

This list should not be read as a list of those to whom data will be disclosed. Sian-Claire Counselling is required to make clear all of the possible categories of 'recipient' to which they might need or wish to disclose data – either in pursuit of their regulatory and public protection functions or in relation to permissions sought from and granted by a data subject or a staff member.

- Data subjects themselves
- Current, past and future employers
- Healthcare, social and welfare advisors or practitioners
- Education, training and accrediting establishments and examining bodies
- Persons making a complaint
- Police forces
- Ombudsmen and regulatory authorities

Purposes

The purposes for which data is held:

- **Accounting and auditing:** The provision of accounting and related services which are submitted yearly.
- **Administration of complaints processes:** The administration of complaint and grievance processes of all kinds, including professional disciplinary processes.
- **Responding to website enquiries:** The provision of information when requested via the website. The statement displayed on the 'Contact Us' webpage indicates how the details provided will be used.

Duration of Data Retention

As a data controller Sian-Claire Counselling must not hold data for longer than required. Persons have the right to inspect and receive a copy of all data pertaining to them. Persons have the right to apply to be forgotten. Once an application regarding erasure of information has been received, Sian-Claire Counselling will respond within 2 weeks and delete all of the data related to that person (unless required by law to retain any documents).

- Client Assessment forms and Notes -5 years after completion of counselling.
- Client contact Information - At completion of counselling



- Assessment forms from DNA – 1 year from assessment date
- Complaints -1 year from complaint resolution

Security and Confidentiality

Sian-Claire Counselling operates on the basis that all material provided to Sian-Claire Counselling be regarded as confidential until otherwise defined.

Client data is kept on a password protected USB stick and stored in a locked cabinet with access restricted to Sian-Claire.

If data is required by regulatory bodies, this will be provided in accordance with the definitions and guidelines above and protocols set by the regulatory body.

Telephone Records

Client Contact phone numbers and/or email addresses for clients who do not opt in for the services at Sian-Claire Counselling to be destroyed. Any client numbers left on the voicemail service will be deleted as soon as possible and any notes made during the conversation revealing the client's details should be shredded or stored in the locked filing cabinet.

Email Records

Once an email enquiry has been dealt with, all details relating to the enquiry will be deleted from my webmail account.

Website

A Privacy policy is posted on our website which explains how data will be processed when provided via our website.

Client Confidentiality

Sian-Claire Counselling is committed at every level and in all aspects of the service offered to provide a confidential service to all clients.

In order to provide the best possible help to clients, it may be necessary to share information with a supervisor. Otherwise information concerning the client will be confidential:

- Information divulged by a client will be treated in the utmost confidence and will not be divulged to anyone outside Sian-Claire Counselling (including family members) except where extenuating circumstances exist (see below for Exceptions).
- Information will only be passed onto another agency with the full informed consent of the client. The client has the right to withhold consent unless there are exceptional circumstances relating to the client's safety (see below for Exceptions).
- An email regarding an appointment or personal client information will be deleted as soon as possible. If the correspondence is such that it is needed to be kept with client records it will be saved on the password protected USB stick and stored in a locked filing cabinet and then deleted from the email account.

Exceptions

In certain circumstances, I reserve the right to break confidentiality should this be deemed necessary. These circumstances include:



- Where there is reasonable cause to suspect that a child under the age of 18 is suffering, or at risk of suffering, significant harm.
- Where the client has threatened, or is likely, to do serious harm to themselves or another individual.
- Where the client gives information, which indicates a possible terrorist attack.
- Where Sian-Claire Counselling has been instructed by the courts (including in limited circumstances by the police, acting on the authority of the courts) to reveal information. This request must be made in writing.

In all cases, if a decision is made to break confidentiality, it will be completed only after consultation with my supervisor. If confidentiality must be breached Sian-Claire will make every effort to discuss it with the client unless this is deemed inadvisable. Sian-Claire will keep notes of any such incidents and all action taken will be recorded in the relevant place.

Policy date: April 2022

Next review due: April 2023