



## IMCS Data Protection Statement

### 1. Introduction

This document contains important information about how the Iron Mill Counselling Service (IMCS) manages our clients' personal data. It is written with the General Data Protection Regulations (GDPR) and our obligations under the BACP Ethical Framework for the Counselling Professions in mind.

### 2. Personal Data We Will Hold

#### 2.1. Referral process data

On referral to the service we will collect and hold the following personal data:

2.1.1. **Referral Form Information:** includes, basic contact data, next of kin and GP details, availability for counselling and other counselling preferences.

- **GP Details:** GPs can provide support and access to other essential services not available through the IMCS. We are unable to offer counselling to anyone who is not registered with a GP in the UK.
- **Next of Kin:** We will only ever consider contacting a client's nominated next of kin with their prior consent or under the circumstances set out in Section 6 below.

2.1.2. **Initial Consultation Information:** We will record short, factual notes of the information provided by clients during their initial consultation/s.

#### 2.2. Counselling process data

In addition to the above, once a client has been allocated to a therapist for counselling, we will collect and hold the following data:

2.2.1. **Counselling Notes:** Counsellors will record brief, factual notes of the contents of counselling sessions.

2.2.2. **IMCS Client Risk Register:** If we believe a client to be at risk of serious harm we might enter their details onto the IMCS Client at Risk Register. The purpose of the register is to make the client's contact and GP details, as well as the nature of the risk, more accessible to senior counselling staff within IMCS in case we need to take emergency action to protect them. Clients will be informed if they are to be added to the Client at Risk register and removed as soon as we are no longer concerned for their safety or they terminate their contract with us. Your entry on the Client at Risk register might include very brief notes of any actions taken by counselling staff.

2.2.3. **Financial Records:** The IMC Finance Manager will keep basic records of financial transactions between clients and the service in keeping with standard book keeping and accountancy principles.

### 3 What we do with client data

We store and manage your personal data for the sole purposes of providing you with a safe, ethical and professional counselling service.

**3.1 Confidentiality:** All information provided is treated as highly confidential and is managed by service management staff who are qualified counsellors and members of the BACP. (Also see Section 6 below).

**3.2 Administration purposes:** The Coordinator will provide selected client contact and appointment details to IMC administrative (non-counselling qualified) staff to help us manage appointments and cancellations in an effective manner.

**3.3 Internal Consultation:** From time to time IMCS staff might consult with the Iron Mill College (IMC) Principal or other suitably qualified, senior member of IMC staff about

how to manage particular issues raised by a client during their referral or therapy. The Principal is also granted unrestricted access to client records in case of emergency.

**3.4 Allocation to a Counsellor:** When allocating a new referral to a therapist the Coordinator will share: the client's first / preferred name; a summary of their reasons for seeking counselling and any other information deemed necessary for the counsellor to work safely with the client.

#### **4. Destroying and Deleting Personal Client Data**

**4.1.** If a client withdraws from the service before being allocated to a counsellor we will:

- delete / destroy their Client Consultation Information with immediate effect
- retain their Referral Form Information for a period of three years with a brief record of the reasons for withdrawing.
- After three years we will delete / destroy this data and we will no longer hold any information on the client unless agreed otherwise in writing with the client or if we are required to retain it for legal reasons.

**4.2.** When a client reaches the end of their therapy we will:

- remove their personal Information from systems for managing appointments and cancellations with immediate effect.
- Remove their details from the Client Risk Register (if applicable.)
- retain Referral Form Information, Client Consultation Information and Counselling Notes for a period of three years from the end of their counselling, after which time it will be permanently deleted.
- retain any signed contracts and consents for a period of seven years after which time they will be securely destroyed.

**4.3.** Exceptions to the above may be made if:

- agreed in writing with the client
- if required for legal reasons.

#### **5. Supervision**

All IMCS counsellors are required by their professional body to see a supervisor on a regular basis. A supervisor is an independent, experienced counsellor who provides support and guidance to their supervisees to help them work in the best interest of their clients.

In addition to their individual supervision, all IMCS counsellors attend group supervision with a small group of other counsellors from the service and a supervisor contracted by Iron Mill College.

Counsellors will discuss details of their clients' therapy in supervision however they will not usually disclose their client's identity. In the unlikely event that a client's identity becomes known to a supervisor or other group supervisee they have the same ethical, professional and contractual obligation to protect client confidentiality as the client's own counsellor and other service personnel.

Supervisors do not have access to client records.

#### **6. Breaking Confidentiality**

Protecting the confidentiality of our clients is a priority for the IMCS but there are circumstances under which we will consider breaking confidentiality. By this we mean sharing information about you, possibly without your prior consent, with another person or organisation, outside of those directly involved in the management and administration of the IMCS. Any decision to break confidentiality will usually be taken by the IMC Principal and IMCS management staff together. In making the difficult decision about whether to break confidentiality we will consider our legal and ethical obligations. We will only consider breaking confidentiality under the following circumstances:

**6.1. Safety and Wellbeing:** If we believe, based on information disclosed during a consultation or counselling session, that a client or others are at imminent risk of serious harm or death, and we are unable to get their consent to reach out for help, we will consider breaking confidentiality in order to protect the client or others from death or serious harm.

Whilst we always aim to do this with the client's consent and / or knowledge we reserve the right to make this decision in their absence or in contravention of their stated wishes if we feel the risk to the client or others is very high.

It is most likely that we would contact a client's GP, mental health services, emergency services or statutory social services and/or next of kin, depending on the exact nature of our concerns. In doing so we would only share as much information about the client as was strictly necessary at the time for their protection.

**6.2. Legal Reasons:** We would be required to break confidentiality and share information about a client or other in the following circumstances:

- if we were compelled to do so by a statutory law enforcement agency (e.g. the police) or a court of law.
- If a client disclosed to us information relating to certain legal offences including: terrorism, drug trafficking and certain offences relating to children we might have a legal obligation to proactively report this information to the statutory authorities.
- If a client disclosed information about a serious potential crime and we believed that it would be a breach of our ethical framework not to report it (e.g. if not reporting it could result in serious harm to others or to society in general.)

## **7. Right to your Personal Information**

All clients have a legal right to see any of their personal information held by the Iron Mill Counselling Service. If you would like to see your personal data please write or send an e-mail to the IMCS Coordinator with details of your request. Please be as specific as possible about the details of your request.

## **8. Report Writing**

The IMCS is not able to write reports or letters to third parties about a client's therapy or reasons for seeking therapy even if requested by the client.

We will provide to a client a formal letter confirming clients are (or have been in the previous three years) a client of the service if requested in writing by them.

## **9. Contact Us**

For more information about how the Iron Mill Counselling Service manages personal data please contact the IMCS Coordinator on 01392 499 388 or e-mail [counselling@ironmill.co.uk](mailto:counselling@ironmill.co.uk).

## **10. Declaration**

I declare that I have read and agree to my personal data being held and managed by the Iron Mill Counselling Service as set out above.

Client's Name:.....

Client's Signature:..... Date:.....