



NLCS Privacy and Data Protection Policy

We want everyone who comes to us for support, or supports us, to feel confident and comfortable with how any personal information you share with us will be looked after. This Privacy and Data Protection Policy sets out how we collect, use, and store your personal information (this means any information that identifies or could identify you).

At North Lancashire Counselling Service (NLCS), we are committed to protecting your personal information and making every effort to ensure that your personal information is processed in a fair, open and transparent manner. If you meet with a Counsellor they will also endeavour to explain in person the ways in which they will use and store your information, which is in alignment with this policy.

We are a "data controller" for the purposes of the Data Protection Act 2018 and the EU General Data Protection Regulation 2016 ("Data Protection Law"). This means that we are responsible for the processing of your personal information. The ICO registered data controller for NLCS is Charles Hunn, to register a concern in the first instance please email Chair of NLCS at: chair@northlancscounselling.org.uk.

We collect information from you in the following ways:

- **When you interact with us directly:** This could be if you refer yourselves to us via telephone or our on-line referral form, or if you make a donation. If you meet with one of our Counsellors.
- **When you interact with us through third parties:** This could be if someone contacts us on your behalf, which is why we always ask clients to contact us directly, rather than via someone else.
- **When you visit our website:** We use minimal 'cookies' on our website. 'Cookie' is a name for a small file, usually of letters and numbers, which is downloaded onto your device, like your computer, mobile phone or table when you visit a website. They let websites recognise your device, so that the sites can work more effectively, and also gather information about how you use the site. A cookie, by itself, cannot be used to identify you. We only use functional cookies that enable you to access our website, refer yourselves via our online form and make a donation. We may use cookies to

monitor the numbers of visitors to the site and anything else that will help us improve the content or ease of use of the site. We do not use cookies for marketing purposes or obtaining unnecessary personal information.

- **Your communications with our teams** (including by telephone or email) may be monitored and/or recorded for training, quality control and compliance purposes to ensure that we continuously improve our customer service standards.
- **Counselling sessions** occasionally Counsellors will ask to record sessions for their own professional development. This is entirely the choice of the client. This would be used by the Counsellor, and potentially used in part to achieve their qualification (if they are a trainee) or in discussion with their Supervisor – both the educational institutes we liaise with and all Supervisors are bound by GDPR legislation and ethics, as well as those of their professional body, such as the BACP (British Association of Counselling and Psychotherapy).

Personal and Sensitive Personal Information:

For individuals who refer themselves for counselling, we collect the following personal information – your name, date of birth, email address, postal address, telephone number.

We will also collect some Sensitive Personal Information, this includes –

- for equal opportunities – nationality, which gender you prefer to be known as, race, religion
- during the referral process a brief reason you are referring yourselves for counselling, for example ‘relationship difficulties’, ‘bereavement’ and so on
- Any physical medical difficulties and which Doctors surgery you are registered with, this is only in the case of an emergency while you are on our premises or in a session with one of our Counsellors
- Any diagnosed mental health conditions and a yes/no risk assessment, which briefly assesses your history of suicidal thoughts, self-harm and feelings or actions of violence and aggression. This helps us ensure we match you with the appropriate Counsellor (as far as we can) and in rare circumstances may mean we refer you back to your Doctor for additional or alternative help first
- Core 10 (or 34) mental well-being assessment (tick box rating scale) and equal opportunities monitoring form – this is completed alongside your Counsellor, not on-line

For individuals who contact us only to make a donation – we do not keep your information and will not contact you, unless you have asked us to via email or our website, or unless it is considered a substantial donation, which may need to be regulated by the Charity

Commission. Any debit or credit card details which we receive on our website for donations are collected by PayPal.

How we use Personal and Sensitive Personal information:

- To enable our Counsellors to contact you to arrange an appointment
- To make an assessment as to whether we can support your needs and to ensure you are referred to the appropriate Counsellor (as far as we can)
- To process your donations or other payments, to claim Gift Aid on your donations and verify any financial transactions
- To provide the services that you have requested
- To comply with the Charities (Protection and Social Investment) Act 2016 and follow the recommendations of the official regulator of charities, the Charity Commission, which require us to identify and verify the identity of supporters who make major gifts so we can assess any risks associated with accepting their donations
- To keep a record of your relationship with us
- To support funding applications through statistical analysis data
- To evaluate, monitor and improve the quality of our service, including reviewing effectiveness and areas of need
- Where you volunteer with us, to administer the volunteering arrangement

We will not pass on your details to anyone else without your explicit consent except in exceptional circumstances. Examples of this might include anyone reporting serious self-harm or posing a threat to others, or any concerns related to money laundering, potential terrorist activities or other serious crimes.

Where you have given us your explicit consent or otherwise clearly indicated to us (for example, by providing written feedback), we may publish feedback on our website or other media forums to promote our services to others.

We will never sell or share your personal information with organisations so that they can contact you for any marketing activities. Nor do we sell any information about your web browsing activity.

In addition, clients may share information of a personal or sensitive nature within counselling sessions. The counsellor may keep a note of this securely (i.e. within GDPR guidelines) for their own records, and, where appropriate, this may be shared with their Supervisor. Usually during these sessions any identifying information is kept to a minimum, to reduce the likelihood of the Supervisor being able to identify the client. 'Themes' may be discussed for the purposes of the Counsellors own professional development to ensure they are doing all they can to work professionally, ethically, and to the best of their ability, in the best interests of the client. Supervisors also adhere to the same professional conduct and code of ethics as

Counsellors, they must also attend their own Supervision (at NLCS this is provided in a group format for all our Supervisors) and again, they would aim not to share any identifying information about the client, where possible. Please note - on occasion at NLCS we have Supervisors who also offer counselling, where there is a dual role, they may end up working with a client they are familiar with through Supervision (for example, if a client returns for a second period of counselling and is allocated a new Counsellor). This would be a rare circumstance, however of this presents a difficulty for the client or Counsellor/Supervisor, counselling may need to cease – where possible, we will try to offer an alternative, but this may not always be the case.

Legal disclosure

We may disclose your information if required to do so by law, for example, to comply with applicable laws, regulations and codes of practice or in response to a valid request from a competent authority.

Storing your information securely

We take looking after your information very seriously. We follow the General Data Protection Regulation guidance (GDPR, 2016), those outlined by the British Association of Counselling and Psychotherapy (BACP), as well as any other relevant UK laws. We have implemented appropriate physical, technical and organisational measures to protect the personal information we have under our control (both on and off-line), from improper access, use, alteration, destruction and loss.

Unfortunately, the transmission of information using the internet is not completely secure. Although we do our best to protect your personal information sent to us this way, we cannot guarantee the security of data transmitted to our site. Our website may contain links to other sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content or the privacy practices employed by other sites. This privacy statement does not cover the information practices of those websites.

We do not store clients' data for longer than is necessary. It may need to be kept longer than usual if:

- The client is in process of bringing a complaint against us or has indicated they intend to do so
- Access to client records has been requested by Police, Crown Prosecution Service, solicitors, or courts dealing with a legal case involving the client within the time they are in therapy or 2 years following cessation of therapy
- Any other reason as deemed legitimate within law by the Management Committee and Trustees

If these conditions do not apply, we will securely destroy client records [2 years] after the date of termination of therapy. Individual Counsellors may securely hold minimal information with their own personal records for longer than this time, if deemed appropriate within the ethical and legal boundaries as outlined by the BACP, UK and EU laws.

Your rights

You have various rights in respect of the personal information we hold about you – these are set out in more detail below. If you wish to exercise any of these rights or make a complaint, in the first instance please contact our Chair at chair@northlancscounselling.org.uk. You can also make a complaint to the data protection supervisory authority, the Information Commissioner's Office, <https://ico.org.uk/>

- **Access to your personal information:** You have the right to request access to a copy of the personal information that we hold about you, along with information on what personal information we use, why we use it, who we share it with, how long we keep it for and whether it has been used for any automated decision making. You can make a request for access free of charge. Please make all requests for access in writing (NLCS, 12 Sulyard Street, Lancaster, LA1 1PX), and provide us with evidence of your identity.
- **Consent:** If you have given us your consent to use personal information (for example, quoting your feedback), you can withdraw your consent at any time.
- **Rectification:** You can ask us to change or complete any inaccurate or incomplete personal information held about you.
- **Erasure:** You can ask us to delete your personal information where it is no longer necessary for us to use it, or you have withdrawn consent, or where we have no lawful basis for keeping it.
- **Portability:** You can ask us to provide you or a third party with some of the personal information that we hold about you in a structured, commonly used, electronic form, so it can be easily transferred.
- **Restriction:** You can ask us to restrict the personal information we use about you where you have asked for it to be erased or where you have objected to our use of it.

Please note, some of these rights only apply in certain circumstances, where one of your rights does not apply, we will communicate the reason to you.

To find out more about this policy and how we look after your personal information, please do not hesitate to contact us at info@northlancscounselling.org.uk or chair@northlancscounselling.org.uk.