



MARCHES COUNSELLING SERVICE:

Privacy Policy

Includes guidance on:

- The requirements of MCS its staff, volunteers and trustees to manage data of a personal nature that is shared with us by the public
- How we meet and implement the legislative requirements of the data protection act (2018) and the regulations set out in the GDPR (May 2018) framework within the functions of our service

www.marchescounselling.org

Document Type: Organisational Policy

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Document Purpose: This policy outlines the standards and legal requirements involved in our data collection and processing. It outlines how personal information that is kept on record will be treated, both online and off.

Target Group: Members of the public, Directors, Board of Trustees, Clinicians and Volunteers

Initial Date Ratified: July 2021

Where this is to be held: In the main MCS office, website, and induction packs

Abbreviations used in this document:

- **BACP** British Association of Counselling and Psychotherapy
- **GDPR** General Data Protection Regulations
- **ICO** Information Commissioners Office
- **IP** (address) Internet Protocol
- **MCS** Marches Counselling Service

Information from/sourced/referenced:

- **MCS** Policies and Procedures

The master copy of this policy, and others referenced, is in the indexed and referenced Policies Handbook. This is held in the office digitally and in hard copy. The validity of this copy can be ensured by date checking with the office where any updates are recorded. To ensure its validity, if this document is printed into hard copy or saved to another location it should be

a) clearly marked as a copy

b) checked against the reference number in the handbook

Version History:

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Contents:

	Page
1.0 Introduction	4
2.0 Information we collect	4
2.1 Information given directly to us	4
2.2 Information someone gives us indirectly	5
2.3 How personal information is used by MCS	5/6
2.4 How long we keep personal information	6/7
2.5 Information sharing	7
3.0 Information governance – keeping personal information safe	7
3.1 Access to information and managing personal data	7/8
4.0 Complaints and feedback	8
5.0 Cookies policy	8
6.0 Links and other sources of information	9
Appendices	10-12

1.0 Introduction

Marches Counselling Service is committed to keeping the personal information people share with us safe and being clear about how we collect their data, how it is stored and what we do with it.

This policy applies to the MCS website marchescounselling.org as well as contact initiated by people: to ask for information; to use our services – including counselling, psychotherapy, support or training; to make a donation; to volunteer; or work for us.

With respect to counselling clients there are protocols pertaining to sensitive information (clinical notes) recorded and kept on file by our practitioners that are governed by the MCS Confidentiality Policy (C-02). This provides an additional level of data security and is implemented alongside the terms of this policy.

MCS is a registered charity and not required to be registered with the Information Commissioners Office (ICO) under the General Data Protection Regulations (GDPR) [(EU) 2016/679]. In line with ICO guidance (See document 20140911, “The exemption from registration for ‘not-for-profit’ organisations”) MCS complies with the “eight data protection principles of good practice”

2.0 Information we collect

2.1 Information given directly to us

We will collect and store information given to us by someone when they contact us or fill in one of the forms on our website (including the CPD mailing list and Paypal):

- To book an appointment
- Register for an event
- Register for a workshop or CPD
- Make an enquiry
- Complete a survey
- Sign up to support a campaign
- Support our work through a donation
- Fundraise on our behalf
- Tell us their story (for example, as a media case study)
- Give feedback or make a complaint
- Apply for a job or work with us
- Register as a volunteer
- Enter into a contract with us
- Are photographed or filmed (for example, at a MCS event)

2.11 Counselling referrals

- In the case of providing personal information to proceed with a self-referral for counselling, privacy is explained verbally or in an email to the person concerned, depending on how they have contacted us. We explain in simple terms how the information they have given will be securely kept in line with privacy legislation and how they can access this policy. It is also made clear that this information will be destroyed if they do not proceed with counselling
- Our Client Privacy Notice for data processing is sent to a person who is proceeding with referral to counselling (see appendix 1)

2.2 Information someone gives us indirectly

- We store certain data about peoples' visits to our website, for example, about their location or IP address
- We store information about how they navigate our website, although this cannot be used to personally identify someone.
- We do not collect and store personal information if a person interacts with us on our social media platforms: Facebook, Twitter, Instagram and LinkedIn. However these platforms, as hosts for MCS accounts (pages etc), may do so. MCS isn't responsible for data collected by these platforms and people are asked to check their own privacy settings on these individual sites
- Certain types of personal information are recognised by data protection law as being more *sensitive*.
- MCS will not collect *sensitive* information when it is given indirectly, for example if a person chooses to disclose such information on a social media site without the intention of requesting a service from us. We advise people to think carefully about how they share such information on the internet where appropriate
- MCS is an adult counselling service. Young people aged 13 and under are advised to gain the permission of a parent/guardian before sharing information with us through our online website and social media platformsc

2.3 How personal information is used by MCS

We will use personal information to do the following:

- Provide people with information or services they have requested
- Process one-off or regular donations and to claim Gift Aid.

- Make our marketing campaigns more targeted and relevant to potential clients and donors; we will only send marketing information to someone if they have given us specific consent to do.
- Respond to direct requests where a person contacts us with a query – i.e. we will use personal information to respond.
- Carry out general administrative tasks like dealing with complaints and feedback, essential record-keeping.
- Take payments from individuals when processing orders and payments for goods and services.
- Keep a person safe in the event that we reasonably think a person (or someone else connected to them) is at risk of serious harm or abuse.
- Conduct polls, surveys and market research. For example, we may invite people to take part so that we can improve our website, services and/or strategic development.
- Improve visitors experience of our website, so that we may offer a more user-friendly navigation.
- Process applications to work at MCS

2.4 How long we keep personal information

- We undertake to not keep personal information for any longer than necessary and only in relation to the purpose for which it was first collected. This is in line with GDPR and as advised by ICO.
- We may however hold some types of data for up to seven years. For example, in the case of financial transactions we will keep personal information for as long as legally required in respect of tax or accounting purposes.

2.5 Information sharing

- We will only use personal information given to us by an individual for the purposes for which it was obtained in the first place. We do not share it with any third parties who use such information to sell services, for marketing or other promotional purposes
- However, there are two very explicit ways in which your data might be shared:
 - (i) In the event that we use third party suppliers to help deliver our services, fundraising activities and campaigns. For example, we use Mailchimp to send out newsletters via email.

- (ii) Where we are legally bound to disclose your personal information because of concerns around child sexual abuse and terrorism.

3.0 Information governance – keeping personal information safe

- We have both digital and administrative safeguards to make sure individuals' data is secure at MCS. Systems and protocols pertaining to access to information is reviewed on a regular basis and limited to those people who have permission to access it.
- MCS webforms are used for the purposes of obtaining essential contact information and discourage the sharing of sensitive information. Where we pass highly sensitive data over the internet such as credit or debit card details, or clinical information pertaining to personal circumstances, MCS uses an end to end encrypted email account (Protonmail).
- We recognise that there are inherent risks to passing information over public networks and will use alternative means if a person has legitimate concerns. We always check at the point of first contact preferred ways of communication. However MCS, like all organisations, cannot guarantee 100% security of data handled in this way.

3.1 Access to information and managing personal data

3.2 MCS upholds the entitlement for people to exercise their rights under EU data protection laws (GDPR). These are as follows:

- **Right of Rectification:** to ask for information about them to be updated or corrected.
- **Right to Data Portability:** Receive a copy of the information which we store
- **Right to Restrict Use:** Ask for personal information about them to stop being used in certain cases, including if it is believed that the personal information is incorrect or the use is unlawful.
- **Right to Object:** Objecting to use of personal information (where a party is processing it on legitimate interest basis) and to personal information being deleted.
- **Right to Erasure:** In certain circumstances, a person can ask for information about them to be deleted

3.3 We will not charge for either considering or complying with a request unless it is deemed to be excessive in nature. We will ask for a proof of identity and upon this

being successfully verified, a person is entitled to obtain the following information about their personal data held by us:

- (i) The purposes of the collection, processing, use and storage of the personal data.
- (ii) The source(s) of the personal information, if it was not obtained from the person themselves.
- (iii) The categories of personal data stored.
- (iv) The recipients (or categories of recipients) to whom someone's personal data has been or may be transmitted, along with the location of those recipients.
- (v) The envisaged period of storage for their personal data or the rationale for determining the storage period.
- (vii) The use of any automated decision-making and/or profiling

4.0 **Complaints and feedback**

- Individuals with questions about this privacy policy or the way in which MCS handles personal information can contact the MCS Office as above
- Likewise the office can provide information about how to make a complaint if a person is unhappy with how their personal information is being managed or used [See also the Complaints Policy (O-002)]
- If a person is unhappy with the response, they have a right under data protection legislation to raise their concerns directly with the ICO Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

5.0 **Cookies policy**

Cookies are little text files downloaded by and stored on your device (phone, laptop, tablet, etc.) when you visit a website. Cookies are used to help the website owner (in this case, MCS) to provide you with a smooth experience while you browse.

MCS uses cookies to:

- Make our website work
- Collect anonymous data to gain insight into how visitors use our website
- Allow people to share content with social networks like Twitter and Facebook.

MCS does not use cookies to:

- collect any information that could personally identify someone
- pass on any personally identifiable information to third parties.

6.0 Links and other sources of information

Information Commissioners Office (ICO) website: www.ico.org.uk

MCS Cookies Policy: www.marchescounselling.org/cookie-policy/

MCS Privacy Policy (Public Website version):

www.marchescounselling.org/privacy-policy/

Appendix 1 – Client Privacy Notice

MCS Client Privacy Notice

In line with the General Data Protection Regulations (GDPR) and the Data Protection Act (2018) **Marches Counselling Service** (MCS) is committed to keeping the personal information you may share with us safe. We also have a duty to inform you how we collect your data, how it is stored and used, and to have your consent to do so.

Information that we collect about you

1. The personal information you have given us so an assessment appointment can be arranged.
2. Notes taken at your assessment appointment, by a counsellor during your period of counselling and your feedback at the end of therapy

How it is kept, what it is used for and how long its is kept

- In the case of (1) this is the minimum personal information we need to provide counselling for you. This information is kept in a locked filing cabinet and used primarily for the purposes of contacting you about your counselling.
- In the case of (2) all clinical notes are kept in a separate locked filing cabinet. Your counselling file has all personal identifying details removed.
- If counselling does not proceed further than assessment we will hold the assessment notes and personal information for three months, after which they will be shredded
- If you attend a period of counselling your information, both types (1) and (2) will be securely stored for seven years.

Your rights under data protection legislation

MCS upholds the entitlement for people to exercise their rights under the data protection laws.

These can be summarised as the right to:

- access information we keep about you
- withdraw consent
- have information about you amended
- request a copy of what we hold
- restrict how we use and process data about you.

In certain circumstances you can also request information about you to be deleted. If you would like to read more about your rights regarding privacy you can access our full Privacy Policy via the following link or request a copy from the office. <http://www.marchescounselling.org/privacy-policy/>

I, the undersigned, understand how personal information about me is held and my rights under data protection legislation, and consent for MCS to hold the information I have given.

Name:

DATE:

Signature:

Appendix 2 – Staff Privacy Notice

Privacy Notice (How we use staff information):

This applies to all staff members of MCS, whether self-employed or voluntary

Data Protection Act 1998 & GDPR

We process personal data relating to those involved in the provision of our counselling service. We do this to assist in the running of the service, the payment of staff, and for the protection of staff members and clients.

The collection of this information is necessary for:

- recruitment and on-going communication
- statistics for service planning
- safeguarding procedures
- monitoring service provision
- ensuring good governance

The personal data includes identifiers such as Name, Date of Birth, Personal characteristics such as gender and ethnic group, qualifications and Individual Client Contact Information.

Collecting this information

Information is provided to us by the staff member on a voluntary basis, or collected over the course of their work with us as part of the agreement they entered in to at the time of their appointment. In order to comply with data protection legislation, we will inform staff of any changes or additional information which may be required and collected.

Storing this information

Personal data is kept in a locked filing cabinet in the main office. Client contact data is stored anonymously on computer, protected by passwords. We hold the former data for seven years, the latter will be kept for the purpose of statistical research whilst the service is running.

Sharing this information

We will not share information about staff with third parties without consent unless the law requires us to.

There are robust processes in place to ensure that the confidentiality of personal data is maintained and stringent controls regarding access to it and its use. Decisions on whether MCS releases personal data to third parties are subject to a strict approval process involving at least one board member. The approval of the person whose data is requested is not seen as sufficient cause for its release if it conflicts with MCS's duty of care.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations.

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with the Administrator in the first instance. Alternatively, you can contact any member of the Board of Trustees.

If you would like to find out more about how we use your personal data or want to see a copy of information about you that we hold, please submit a written request to the Administrator.

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I have read and understand how MCS collects and keeps any personal data about me.

I give permission for usage as detailed above.

Signature of staff member