

Contact details:

The Data Controller of the information being collected is UHI North, West and Hebrides, Ormlie Road, Thurso, Caithness, KW14 7EE. For any queries or concerns about how your personal data is being processed you can contact the Data Protection Officer at dpo.nwh@uhi.ac.uk

This privacy statement relates to the following processing:

This privacy notice is for the processing of personal information collected:

- When you submit our online short request form and when you access the College counselling services; and
- During any counselling sessions delivered by one our in-house Counsellors.

To ensure you receive a verifiably high quality and safe counselling service UHI NWH arranges for all counselling to be delivered to approved regulatory standards and with appropriate mechanisms to ensure high standards. This standard is British Association for Counselling and Psychotherapy (BACP) or equivalent – UHI NWH may change the standard it meets, but it will always meet a relevant counselling standard prescribed by the Professional Standards Authority (PSA) for Health and Social Care.

<p>Purpose 1: Assess and direct queries for counselling appropriately</p>	<p>Students who wish to access the College counselling services must complete the online short request form, to allow staff to determine if a referral to our one of our counsellors is appropriate or whether your request may be supported by another department.</p> <p>The information that will be collected from you in the form includes: your name, contact details, student ID number, and details of personal circumstances that you may choose to share with us as part of your request for support.</p>
<p>Purpose 2: Provision of counselling service</p>	<p>General administration of the counselling service provided to you, including, holding your details in our electronic referral list, setting up your initial consultation, arranging your appointments and contacting you to provide information about the above, and creating a core counselling record (information will be added to this as the counselling process progresses).</p> <p>At, or before, your initial appointment you can expect the following details to be asked for and recorded.</p> <p>Your personal details: Your name, contact details, method of preferred contact, student number, course details, date of birth, your GP name and practice, and your medical details. These details will be used for administration of your counselling service and the provision of the therapeutic service (the actual counselling).</p> <p>During your appointments (including your first) you the following additional details may be requested:</p>

	<p>Information to facilitate the therapeutic work, including, reasons you contacted the College Counselling Service, presenting issue, relevant personal and family background, past/present coping strategies, relevant medical history, social support, and therapeutic aim. This information may or may not be recorded, but will allow the Counsellor to frame the Assessment, referral options or future therapy.</p> <p>Basic case notes to summarise what you have talked about in appointments. This will summarise key facts, background information, key issues raised, and points of concern are also noted to help the counsellors to remember what you discussed and to record any risk concerns.</p> <p>Your counsellor may ask you to complete assessment questionnaires at the beginning and end of your counselling journey. This may include questionnaires designed to measure clinical outcomes, and evaluations designed to measure the impact on your studies. Your responses will be included within your case notes.</p> <p>Your student number will be recorded on your case notes instead of using your name to protect your identity.</p>
<p>Purpose 3: Provide a counselling service to you by means of a third party</p>	<p>To meet the geographical spread of our student community, you may be offered the opportunity to receive therapy from an external counselling service. A member of the student support team will contact you to discuss this option and, if you agree to using the service, will capture your availability for future sessions.</p> <p>Any communication from you expressing your consent to be referred onto an external counselling service would be recorded as part of our legal obligation in this area (our duty of care). A copy of your <i>online short request form</i> (please see Purpose 1 for further details) along with the following additional information, will be shared: your contact preference, Student ID, DOB, contact details.</p>
<p>Things to be aware of in respect to counselling confidentiality</p>	
<p>Purpose 4: Meet our Safeguarding Requirements</p>	<p>Personal information that you share with counsellors through either the College or external counselling service will remain confidential. However, if the counsellor identifies an emergency or safeguarding concern, then they will contact the College Safeguarding Team and/or emergency services if necessary. Counsellors are obligated to act in such circumstances, as failure to disclose information may result in civil or criminal procedure.</p>

	<p>Personal information may also be disclosed where the College has a legal obligation to comply with a request received from a Court of Law/the Police, or any other similar body.</p> <p>Our Counsellors are bound by the Ethical Framework for the Counselling Professions from the British Association for Counselling & Psychotherapy (BACP) July 2018. This framework sets out the key commitment to confidentiality, and to letting you know about any limitations to the principle of confidentiality.</p>
Purpose 5: Counselling Supervision	<p>To ensure the delivery of a safe and effective service, clinical supervision is a fundamental requirement of practising counsellors. All College counsellors are subject to independent external clinical supervision in compliance with BACP Ethical Framework. Only anonymous information will be discussed.</p>
Purpose 6: Evaluation and service reporting	<p>Personal data is anonymised and used to create statistics, which may appear in the following types of reports:</p> <ul style="list-style-type: none"> • Internal - including (but not limited to) service assessment, business planning, and quality assurance. • Imposed by law - to meet statistical reporting obligations • Funding body and statutory agency - to comply with requirements <p>Data provided in such reports is anonymised – individuals cannot be identified from the information provided.</p>

Our legal reasons for using the data are:

Purpose 1: Assess and direct queries for counselling appropriately	<ul style="list-style-type: none"> • Article 6 (1) (b) performance of a contract we have with you or take steps, at your request, before entering such a contract. In this case the College will offer students access to an internal or externally delivered counselling service. • Article 6 (1) (c) Legal Obligation / Article 6 (1) (e) Public task: <ol style="list-style-type: none"> 1. Our general duty of care 2. The requirement to provide support for students in their mental health and wellbeing 3. Meeting our obligations to meet the support needs of students as set out in the Further and Higher Education Act and associated guidance 4. Requirement to provide counselling services in line with funding provided for that purpose and at Government/funding council direction
Purpose 2: Provision of counselling service	

	<ul style="list-style-type: none"> • Article 6 (1) (a) consent - You have provided us with consent to share and/or discuss your personal information with a third party. <p>Special category data:</p> <ul style="list-style-type: none"> • Article 9 (2) (g) processing is necessary for reasons of substantial public interest, enabled by the Data Protection Act 2018 Schedule 1, Part 2: <ul style="list-style-type: none"> ○ Section 6 – Statutory purposes, where the processing is required by law; to meet the support needs of students as required by law (Further and Higher Education Scotland Act and associated guidance and the General Duty of Care) and in the public interest ○ Section 11 and 12 - To keep adequate records for reasons of protecting the public and meeting regulatory requirements ○ Section 17 – Counselling • Article 9 (2) (a) the data subject has given explicit consent for their sensitive or confidential information to be shared with a named third party (e.g. named support contact, other College service, or health care providers - applies to non-emergency situations only).
<p>Purpose 3: Provide a counselling service to you by means of a third party</p>	<ul style="list-style-type: none"> • Article 6 (1) (a) Consent - You have provided us with consent to share and/or discuss your personal information with an external counselling service. • Article 6 (1) (c) Legal Obligation – The recording of your consent to receiving counselling from an external service provider, is part of our legal obligation in this area (duty of care). • Special category data – Article 9 (2) (a) the data subject has given explicit consent for their sensitive or confidential information to be shared and/or discussed with an external counselling service.
<p>Purpose 4: Meet our Safeguarding Requirements</p>	<p>Given the range of potential emergency and safeguarding situations and requests we are obliged to fulfil by law it is not possible to include the exact processing and lawful bases in this notice.</p> <p>The summary of this purpose 4 earlier in this notice and in the ‘sharing data with third parties’ later in this notice give more detail. In almost all cases, Legal Obligation, Public Task or Vital Interests will be the lawful basis for processing in these circumstances. However, other lawful bases</p>

	<p>may be relied on in certain circumstances (consent, contract, legitimate interests).</p> <p>For the processing of special category data, the College relies on Article 9 (2) (c) – Vital interests; and Article 9 (2)(g) processing is necessary for reasons of substantial public interest, enabled by the Data Protection Act 2018, Schedule 1 Part 2; This includes section 18 – Safeguarding of children and individuals at risk.</p>
Purpose 5: Counselling Supervision	All personal data is anonymised, and no lawful basis is required.
Purpose 6: Evaluation and service reporting	All personal data is anonymised, and no lawful basis is required.

Who we may share data with:

Purpose 1: Assess and direct queries for counselling appropriately	<p>Only restricted members of the College student support team will have access to your personal data. All staff have undertaken training in relation to confidential data handling.</p> <p>A copy of this information may be passed to our college counsellors, or, if you agree, to another member of college staff to allow us to provide you with the required support.</p>
Purpose 2: Provision of counselling service	<p>Third party individuals – if you ask us to contact your named support person to discuss the progress of your therapy (eg parent/guardian/carer).</p> <p>Other College Services – With your consent, your counsellor may contact other support teams for your benefit, such as Supported Learning or your Guidance Tutor. If requested, the Counselling service may support your application for extensions or special circumstances with respect of coursework, examinations, dissertations or theses.</p> <p>Health Care Providers - We may share your data with an external health provider such as non-emergency discussions of your support with your GP or healthcare practitioner which will only take place with your consent.</p> <p>The College uses IT system providers (such as Microsoft) to process your personal data.</p>

<p>Purpose 3: Provide a counselling service to you by means of a third party</p>	<p>If you consent to receiving treatment from an external counselling service, we will share personal data at the point of referral.</p> <p>If the external counselling service believes there is an emergency or safeguarding concern relating to you, limited personal data will be shared with the College.</p> <p>Please contact the external counselling service provider for details of how they will process your personal data.</p>
<p>Purpose 4: Meet our Safeguarding Requirements</p>	<p>If your counsellor (from either service, including external agencies) identifies an emergency, safeguarding concern, or risk of significant harm to your wellbeing, that of another individual, or to the public, they will alert the College Safeguarding Team and/or emergency services.</p> <p>It may also be necessary to share your personal data with:</p> <ul style="list-style-type: none"> • your GP • your listed emergency contact <p>In any of these circumstances the counsellor will normally encourage the client to pass on information to the relevant person/agency. If there is no indication that this has happened, or is likely to happen, or if the crisis or danger is sufficiently acute, the counsellor may pass on the information directly. Consent to disclose information will be sought from the client, if possible.</p> <p>Where a valid request is received, the College may also provide information to the Police, Courts or other official authorities. Consent does not apply in these situations and personal Information may be disclosed where there is a legal obligation or for important reasons of public interest.</p>
<p>Purpose 5: Counselling Supervision</p>	<p>External independently appointed clinical Supervisors – Any counselling notes discussed with supervisors will always be anonymous, so that you cannot be identified.</p>
<p>Purpose 6: Evaluation and service reporting</p>	<p>Only anonymous statistical information will be circulated internally or to external bodies, where required.</p>

Where do we get your personal data from:

Personal data is collected directly from you, when you complete our counselling short request form or are contacted by our College Counselling Team, and during the course of your therapy.

Occasionally, information provided by third parties may be added to your counselling record. However, please be assured that the College will never confirm your participation in therapy or share personal information unless we have your consent to do so. In most cases, you will be informed of any contact from a third party as soon as it is reasonably possible.

Retention:

All personal data is held in line with the [College Records Retention and Disposal Policy](#):

Purpose 1: Assess and direct queries for counselling appropriately	The Counselling short request form forms part of your student counselling case file and will be retained per Purpose 2. If you were not referred for counselling, a copy of your counselling short request form will be deleted after one month.
Purpose 2: Provision of counselling service	If you received counselling from one of the college counsellors, your case file (including case notes and medical details) will be stored securely on College systems until one year after you have completed your course of study, and then securely shredded or deleted.
Purpose 3: Provide a counselling service to you by means of a third party	The College will retain a copy of your counselling short request form and a record of your referral to an external counselling service for 1 year from the date of referral. After this time, your short request form will be securely destroyed and only statistical information pertaining to referrals will be retained. Please contact the external counselling service provider for details of their personal data retention procedures.
Purpose 4: Meet our Safeguarding Requirements	Emergencies and safeguarding concerns will be added to the College Safeguarding Register for 3 years from the end of the current academic year, and then securely destroyed.
Purpose 5: Counselling Supervision	Anonymous personal data discussed forms part of your counselling case file, and retention is applied per Purpose 2 , above.
Purpose 6: Evaluation and service reporting	Retention does not apply to data stored for statistical and historical management reporting purposes and is completely anonymous and cannot be linked back to you.

You have the following Data Subject Rights:

- access your personal data
- rectification of incorrectly held personal data
- restrict processing of your personal data

In certain circumstances, the following rights also apply:

- request erasure/deletion of your personal data
- right to withdraw consent
- data portability
- right to object

You also have the right to [lodge a complaint with the Information Commissioner’s Office](#) about our handling of your data. However, before doing so, we would ask that you first discuss your concerns with the College.