# Confidentiality policy

## Introduction

As a counsellor I recognise that everyone has a right to privacy and to expect that all personal information about them will be handled sensitively and confidentially.

I recognise a duty to respect the confidentiality of all personal information held, and offer secure facilities where information is held.

## What information is confidential?

Any personal information provided by a person, or by a third party about them will be treated in the strictest confidence. ‘Personal identification’ in this context means any information about a living, identifiable individual i.e. their name linked with any other information about them (address, telephone number, etc.) Anything seen or heard accidentally is still personal information.

## Policy statement

There are many issues around confidentiality and I am acutely aware of dilemmas, both personal and professional that challenge us. My base line is that I believe that in order to develop trust and facilitate growth, promote dignity and self-respect confidentiality is paramount.

 My professionalism will at times require me to share selected information appropriately. *‘ Legal rights to confidentiality are enforceable by legal orders e.g. injunctions or actions for breach of contract, damages, orders for compensation. The over-riding aim is to protect and promote the best interests of the individual.’* BACP guidelines sheet.

Compliance with the law regarding the protection and disclosure of information is mandatory;

Child Protection - The Childrens Act 1989 states that the safety of the child is of paramount importance. Please see the separate Child Protection Policy.

Terrorism - Under section 19 of TA 2000 it is an offence for a person not to 'disclose to a constable as soon as reasonably practicable' his or her belief or suspicion, and the information on which it is based, that another person has committed an offence under sections 15 to 18 of the TA 2000, when that belief or suspicion is based on information coming to him or her in the course of a trade, profession, business or employment. - See more at: <https://www.lawsociety.org.uk/support-services/advice/practice-notes/anti-terrorism/#sthash.EIi24OE5.dpuf>

Human Trafficking - Human trafficking and exploitation Act 2015,

Drug Trafficking – Under section 52 of the drug trafficking Act 1994 knowledge of money laundering is to be reported

## Anti-discriminatory practice

Also to adhere to the requirements and guidance contained in the following legislation.

Race Relations Act 1976 inc. Racial equality code of practice

Disability Discrimination Act 1995

 The Human Rights Act 1998

The sex discrimination Act 1975

The Equality Act 2010

Additional handouts are available qualifying certain legislations, please ask.

## Disclosure

Working with a client group who engage in self-harm or who may express suicidal thoughts presents a unique challenge in attempting to maintain a balance between an individuals’ right to privacy and a need to protect their wellbeing.

Therefore information may be shared outside the counselling setting on a ‘need to know basis’ where:

1. Someone’s personal safety and or well-being is threatened e.g. when there is a significant risk of harm.
2. If a persons’ health and well-being is felt to be at significant risk then the General Practitioner will be contacted ( with consent where possible)
3. In order to collaborate with other agencies and professionals (with consent)
4. Where legality requires this (please see above)

## Medical and Psychiatric Information

Information about a persons’ medical condition is strictly confidential. No information about a persons’ medical condition will be passed to a third party or agency without specific consent, except in exceptional circumstances where there is a genuine health and safety risk to the person concerned or to a third person if the information is not disclosed.

In the case of serious concern contact will be as follows

1. Immediate contact with the GP or NHS out of hours service
2. Contact with clinical supervisor

## General Enquiries (friends, relatives etc.)

No matter how plausible the request may appear no personal information is given.

## Providing information to third parties

1. The request of details of the information required and why it is required.
2. Check that the clients consent to disclosure has been given or if the request falls into one of the given categories.
3. Establish there is a genuine need to know
4. Verify the identity of the person making the request
5. If the response is in writing a copy will be kept with the persons file. If via a phonecall notes will be made and added to the file
6. The Data Protection Act 1984 will be complied with.

## Data protection Act 1984

Under the data protection act 1984 a person is entitled to be informed if any personal information about them is held on the computer and what that information if any is correct. If any information is incorrect, they are entitled for that information to be corrected or deleted.

## Access to counselling files

I adhere to the BACP ethical guidelines on keeping notes and files, which are kept locked and secured at 24 Pill Street, Penarth.

GDPR

Files are anonymised, hand written and are kept in a locked cabinet.

Files are kept for 5 years and subsequently shredded

Your email, phone number and address are kept only for the purpose of contact during Counselling and are not passed to any third parties. This data will be deleted at the end of the Counselling.

Signed; …………………………………………… Signed; …………………………………………

Print name; …………………………………………………… Anne-marie Edwards Date………….