

Privacy and Data Policy

Introduction

This policy applies to all individuals who either work at Life In Action Centre as an Employee, Self-Employed Contractor, Team Counsellor, Independent Practitioner, Student on Placement or any individual who contacts the Counselling Service as a client. When you liaise with or contact our Organisation we collect your data for the sole purpose of providing you with the area of work, training or of our services in which you have expressed an interest. Under the Data Protection Act and GDPR our Organisation has a legal obligation to explain to you how your data is managed. This Privacy Policy aims to explain in detail how our data management system is implemented and therefore how your information is processed and kept safe.

The processing of your information involves the following:

Where your data is obtained from

- The types of Personal and Special Categories Data we collect
- How we use your data
- How and where your data is securely stored
- What type of consent we require from you prior to sharing your data
- Who we do and do not share your data with
- How your data is kept up to date
- How you have the right to access your information
- How long your data is safely stored and how it is securely destroyed
- Your right to be forgotten and request your information is erased

Where we collect your Personal Information from

We collect Personal Information about you in several ways when you:

- Contact us by mail, phone or email
- Submit an online enquiry contact us request form or Counselling Enquiry Form through Life In Action website
- Complete a paper-based Marketing Consent Form at one of our CPD training days
- Signup by email to receive marketing communications through our website
- Visited our Twitter social media platform or Google business to contact us.
- Supply your Curriculum Vitae in response to a job vacancy advert or for a position as student on placement
- Submit a Booking Form to attend training courses
- Register to join the Service Counselling Team or become a Student on Placement at the Centre

What Personal Information we hold about you?

We will ask you to only supply the Personal Information we need in order to provide you with the service you have requested. We will normally ask you to provide us with:

- Your Name – title, first name and surname.
- Your Contact Details – email address, full postal address, landline number and mobile number.
- Personal Details to access counselling - when you are available, what type of therapeutic approach you are looking for and what fee you would like to pay.
- Financial information you provide where you make a payment, such as bank details or credit/debit card details, although we don't store credit or debit card details.

What Special Categories Information we hold about you?

We will ask you to only supply the Special Categories Information we need in order to provide you with the service you have requested. We will normally ask you to provide us with:

- Your Date of Birth - to track your counselling referral records and to establish if as a young person you are eligible to give consent.
- Medical History – to review any medical conditions you have in order to determine how best to support you while you are our client. E.g. If you are a disabled person you may have limited mobility, in which case as an organisation we are required to do a risk assessment and make reasonable adjustments to keep you safe .
- Adoption Information – to establish whether you need to see a designated ASA Registered Counsellor.
- Photograph and Personal Profile for our website - if you are a member of staff However, we may request other information where it's appropriate and relevant.

How we use your Personal Information

Life In Action Centre uses your Personal Information in a number of ways to:

- Provide you with information you've requested from us via e-mail, phone or drop-in enquiries
- Take a counselling client self-referral request from you via e-mail, phone or paper application
- Take a counselling client referral request from a third party e.g. GP, EAP Provider etc., via e-mail, phone, or paper application
- Contact you as a client based only on the consent you have given us regarding your expressed preferences, either by email, landline, mobile phone, SMS or post
- Contact you as a client via e-mail, mobile, SMS text messages, phone or letter correspondence from the office in order to make Service arrangements
- Contact a third party on your behalf e.g. GP. When doing so we will ensure your Personal and Special Categories data is not passed on without consulting you first and obtaining your consent or explicit consent to do so, unless the circumstances dictate otherwise
- Process your Personal and Special Categories Information on an electronic and paper referral form and to manage and maintain this information in our referral paper filing system in order to ensure you are assigned an appropriate counsellor, that there are no conflicts of interest and confidentiality is maintained

- As a client, share your personal referral and medical information with your team counsellor/ student on placement
- As a participant, process your application form when booking onto one of our CPD training courses
- As an applicant, review your Curriculum Vitae in relation to a current vacancy
- As a Team Counsellor or Student on Placement process your documents for the purpose of receiving client referrals
- As a therapist, process your documents for the purpose of hiring rooms
- Capture your feedback anonymously

How and where your information is securely stored

All your Personal and Special Categories Information is securely stored either electronically and/or as paper records. The Organisation's computer is password protected and has current regularly updated anti virus software. The computer is regularly backed up onto a hard drive and then stored in a locked safe. All paper records are stored in a locked filing cabinet or cupboard and both of these storage areas are kept in a locked office. Access to the office is restricted to authorised members of staff only.

The types of consent required to share your information

We only collect, process and share your data, with your consent, according to the following scenarios and reasons:

- As a client we require your explicit consent for any Special Categories Information such as medical information that you may share with us, before passing this information onto our Team Counsellors
- As a prospective member of staff, Team Counsellor or Student on Placement we require your consent to obtain a reference
- As a Team Counsellor we require your consent to display your photograph and description of your services on our website
- For Self-employed Staff we require your consent to display your photograph and job description on our website
- For Employed Staff we have a legal compliance to collect personal information, but do require your consent to display your photograph and job description on our website
- As a potential participant/applicant we require your written consent to send you our marketing e-mails for CPD Training Courses and Job Vacancies

Right to withdraw consent:

Where we have obtained your consent to process your personal data, or consent to send you information, you may withdraw your consent at any time and we will cease to carry out the particular activity that you previously consented to, unless we consider that there is an alternative reason to justify our continued processing of your data for this purpose, in which case we will inform you of this condition.

Who we do and do not share your data with

We do not share or sell your data to any other company for marketing purposes.

As and when required we will share accident, incident and complaints information internally with our Services Support Manager/Health & Safety Officer and externally with our insurers,

solicitors and any necessary professional body. On occasions, a client disclosure situation may arise that requires your counsellor to share your information with other professionals eg.GP, in order to provide you with support, however this would not normally be carried out without first gaining your explicit written consent but would however depend on the nature of your situation at the time.

How we use your Personal Information for marketing

We only use your Personal Information for marketing when you have positively opted in by giving unambiguous written consent to do so. Our marketing communications include information about our latest CPD Training events, current organisational vacancies along with up to date counselling news. If you would like to receive such communications but have not opted in please feel free to get in contact and give your consent to opt in. Depending on the permissions you have given us we may contact you by post, email, telephone, SMS or via a mobile application.

We understand that your circumstances may change and if so you can easily withdraw the marketing permissions you have given us and opt out, at any time either by using our contact details in this notice or by using the methods we tell you about in our communications e.g. the 'unsubscribe' link on our emails. However, we are required by GDPR to keep a record of your name on an electronic register of individuals who would prefer not to be contacted by email. Should you subsequently wish to opt in again then we would need to confirm this written request with you personally before re-adding you to our marketing email list.

Right to have your Personal Information erased

In certain situations, you have the right to request we "erase" your personal data. We will respond to your request within the agreed timeframe, although we may be allowed to extend this period in certain cases and will only disagree with you if certain limited conditions apply. If we can agree to your request, then as a client you would be required to sign a Waiver Form before we could implement your request and delete your data. This would be on the understanding that for legal reasons we would need to retain the completed Waiver Form according to our retention policy. Should you subsequently wish us to retain your personal data again then we would need to confirm this request with you personally before proceeding accordingly.

Normally the information must meet one of the following removal criteria:

- Where previously given you have since withdrawn your consent for us to process your data and there is no other valid reason for us to continue doing so
- The data is no longer necessary for the purpose for which it was originally collected and/or processed
- It is necessary for the data to be deleted so that we comply with our legal obligations as a data controller
- The data has been processed unlawfully i.e. in a manner that does not comply with existing Data Protection regulations

When complying with a valid request for the removal of data, we will take all reasonably practicable steps to delete the relevant data.

We are only entitled to refuse to comply with your erasure request for one of the following reasons:

- To comply with; legal obligations; the performance of a public interest task or the exercise of official authority e.g. the Police, HMRC etc.
- For public health and reasons in the public interest
- To exercise or defend a legal claim

How we keep your Personal Information up to date

Life In Action Centre has a legal obligation under data protection legislation to keep the Personal Information it collects in an accurate format and up to date.

We keep your information accurate by:

- Giving you the opportunity at any time to contact us to correct or change your information
- Using information publicly available to us e.g. postal address
- Asking you to confirm certain details when you are contacted by a member of our team
- Checking and updating your details when we receive undelivered emails or mail

It's important for both you and us that your Personal Information is correct. If you believe this is not the case then please get in touch with the amended details and we will contact you to verify your identity and then update your information.

How you can find out about the information we hold about you

You have the legal right to request a copy of the information that we hold about you. If you wish to exercise these rights and would like a copy of some or all of your Personal and Special Categories Information we hold about you then please send a description of the information in question to our Data Protection Officer at the email address shown on the website.

We will get in contact with you to verify your identity and if we do hold information about you we will:

- Advise you of any legal restrictions to your rights
- Give you a description of your information
- Tell you why we are holding it
- Tell you who it could be shared with
- Let you have a concise and clear copy of the information within 30 days

How we safely store and retain your Personal Information

All personal data sent to our Organisation is protected while in our possession as we take our obligations to keep your personal data safe and secure very seriously. Within Life In Action Centre, access to your personal information is strictly controlled on a 'need to know' basis. Office Staff, Team Counsellors and Students on Placement are only allowed access to your personal data once they have been sufficiently trained in data handling. We have specific technical controls in place to restrict access and these are monitored regularly. Our website is also monitored and protected to prevent it from unauthorised access.

We only keep your Personal Information for as long as we need to in order to use it for the purposes set out in this Privacy Policy and shred it at the end of the specified retention period. We have developed a data retention policy that sets out the different periods we retain personal information for in respect of these relevant purposes after which it is securely destroyed either electronically or by double crossed shredding. The criteria we use for determining these retention periods is based on various legal requirements; the purpose for which we hold data and whether there is a legitimate reason for continuing to store it (such as in order to deal with any future legal disputes); and guidance issued by relevant regulatory authorities including, but not limited to, the Information Commissioner's Office (ICO).

Personal Information that we no longer need is disposed of securely. Some personal information may be retained by us in archives for financial purposes although we will do this in a manner that complies with applicable HMRC legal requirements.

We continually review what personal information and records that we hold and delete what is no longer required.

Our legal basis for processing your Personal Information

Much of our processing will be under the basis of “contractual obligation” in other words we need and use your Personal Information for providing the services we offer, or you have entered into a contract with us for. However, when you have specifically opted in to receive information from us, our processing will be based on your consent. You always have the opportunity to object or opt out as detailed below.

What to do if you have a complaint

If you have a complaint about your data management then please email us and we will deal with your request promptly. For more information about your rights or if you are not happy with our response to your request, you can contact the Information Commissioner’s Office (ICO) – for more details, see <https://ico.org.uk/>.

For further information

Further information can be obtained in our Data Protection Policy.

Data controller and contact information

The data controller for Life In Action Ltd can be contacted if you have any questions, comments or requests regarding this Privacy Policy, please feel free to contact us at:

Life In Action Ltd

Suite 1 Elmer House Finkin Street Grantham NG316QZ