

Confidentiality & Information Retention Policy

Clement Olivier Counselling (COC) works within the [Code of Ethics \(2023\)](#) of the National Counseling and Psychotherapy Society (NCPS) which requires counsellors to offer the highest possible level of confidentiality to respect the client's privacy, keeping trust and client autonomy. There are exceptions where a counsellor may need to break confidentiality; the details of when this would occur are listed below. This Policy is in place to provide guidance to staff and information for clients on how confidentiality can be maintained, the circumstances it may be breached and what type of information is held.

Responsibilities

COC is responsible for keeping sensitive information confidential and only shared on a 'need to know basis'. Counsellors have an added responsibility to respect the confidentiality of their clients in line with the NCPS's [Code of Ethics \(2023\)](#).

The confidentiality agreement of the service will be outlined within the initial contract when working with a client and a signed written copy of this is aimed to be received from every client seen.

Client anonymity should be ensured at all times (unless subject to the following exceptions as mentioned below), including in client notes and supervision.

Limits of Confidentiality

Personal information about clients will not be passed on (including information on attendance at counselling sessions) to anyone outside of the COC subject to the following exceptions:

- It is believed that the client is at significant risk of harm to themselves or others
- It is believed that a child or vulnerable adult is at risk of harm or abuse
- The client shares information relating to the following legislation:
 - The Terrorism Act (2000) requires that counsellors disclose any belief or suspicion of acts of terrorism from anybody.
 - The Drug Trafficking Act (1986) requires that counsellors disclose to the police information of any individual making money through drug trafficking.
 - The Road Traffic Act (2000) requires that counsellors provide information to the police that might identify a driver in a traffic offence. In addition, if counsellors become aware of a client possibly driving whilst unsafe (e.g. through epilepsy, medical condition, drug or alcohol abuse), the law requires the counsellor to pass this information to the DVLA.



- COC has obtained written consent from the client to pass on information on their behalf
- COC would be liable to a court procedure if the information was not disclosed

COC will usually attempt to gain consent from the client before passing on information, if this is not possible, so they may pass on the information to the relevant person/agency directly.

If a client discloses a safeguarding issue (in line with the above exceptions) then COC will complete a risk assessment, and if deemed 'high risk' this will be passed on to the appropriate professional in line with the COC's [Safeguarding Policy](#).

COC continues to respect the client's confidentiality and asks that the client does not bring anyone else into the session with them. There are exceptions when a third party may need to attend the counselling session; these include, a communicator for the deaf/hearing impaired, a translator or interpreter for those with English not as their first language, a guide dog or helping dog, and a carer for those with a disability or additional needs. If you feel the need to bring someone in the sessions, please discuss it with your counsellor.

Disclosure of information

It is COC's responsibility to only pass on information on a 'need to know' basis. Client information will never be shared with other clients and COC will only breach confidentiality in the circumstances mentioned above and aim to gain consent.

Whenever possible consent to pass on information should be obtained in writing from the client, (see attached [consent form](#)), and where consent is verbal this to be noted in the client's file.

Data Protection/ GDPR - General Data Protection Regulations (2018)

Please refer to our [Privacy Policy](#) for more detailed information on how we hold client information and store sensitive and personal data.

Client information (including session notes) is to be stored securely on Zanda Health system and/or the COC practice Google Drive Account, will be password protected and accessed only by Clement Olivier. The sessions notes will be kept confidential by removing identifiable data such as names. Documents with identifiable data such as the [Counselling Contract](#), the [Client Questionnaire](#) and the [Safeguarding Disclosure Reporting Form](#) will be kept in a separate password protected folder on Google Drive.

All client information will be kept on file for seven years, when then it will be destroyed appropriately in line with the General Data Protection Regulations (2018), Data Protection Act (1998) and our Retention Policy (below).

To respect the confidentiality and privacy of the client, client information and notes are to be filed anonymously and contain no direct references to client's names.

Retention Policy

COC will hold client information and notes for no longer than seven years after the client has left the service. This information will be stored securely in line with the GDPR - General Data Protection Regulations (2018) and Data Protection Act (1998). After seven years all client data



will be destroyed unless being used as an ongoing investigation for criminal or child protection/safeguarding purposes.

Equality and Diversity Statement

COC is committed to the promotion and development of equality and diversity. COC works under a statutory duty in line with the Equality Act (2010) which recognises the following Protected Characteristics: Age, Gender, Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex (gender), Sexual Orientation and Disability. COC respects the client's confidentiality and where sensitive data regarding a client's medical or mental health are kept securely and safely in line with the GDPR – General Data Protection Regulations (2018) and Data Protection Act (1998).

Related Policies and Procedures

- GDPR – General Data Protection Regulations (2018) and Data Protection Act (1998)
- [Safeguarding Policy and Procedure](#)
- [NCPS Code of Ethics \(2023\)](#)
- Equality Act (2010)
- Data Protection Act (1998)

