

Privacy Notice – For Student Counselling

Ayrshire College (the College) is providing you with this information to comply with data protection law to ensure that you are fully informed and that we are transparent in how we collect and use your personal data.

Your privacy and trust are very important to us and this Privacy Notice provides essential information about how the College handles your personal data (information) and the rights you have in relation to how we use your data. The College is committed to complying with all applicable Data Protection legislation.

Who are we?

Ayrshire College is the 'Data Controller' and is responsible for looking after the personal data that you provide.

Registered office – Ayr Campus
Dam Park, Ayr
KA8 0EU

For any queries or concerns about how your personal data is being processed you can contact the Data Protection Officer (DPO) at dataprotection@ayrshire.ac.uk

This privacy notice relates to the following process: Student Counselling Services

Purpose for processing – why do we collect information about you?

We use the information you provide to deliver an effective Counselling Service.

Counselling services include:

- Counselling sessions delivered by College counsellors, face to face and remotely.
- Counselling sessions delivered by Trainee Student counsellors, face to face and remotely. This is an external service.
- Resources and 1:1 counselling delivered remotely by TogetherAll via their Live Therapy service. This is an external service.

Students who would benefit from either service will be referred by our Student Experience Team.

Ayr Campus
Dam Park
Ayr, KA8 0EU
T 01292 265184
E enquiries@ayrshire.ac.uk

Kilmarnock Campus
Hill Street
Kilmarnock, KA1 3HY
T 01563 523501
E enquiries@ayrshire.ac.uk

Kilwinning Campus
Lauchlan Way
Kilwinning, KA13 6DE
T 01294 559000
E enquiries@ayrshire.ac.uk



We collect and use your information for the following purposes:

- To help us understand your needs, to decide if an appointment with one of the counsellors is appropriate and to make a referral to them. This includes informing the counselling services of your needs so they can provide appropriate support.
- Once you are receiving support from either service, any personal information is between you and your counsellor. However, in the event of an emergency (where you may be deemed to be at risk to yourself or others and where significant information is shared that raises concern) counsellors from any of the services will share limited information with us so that the College's safeguarding procedures (Action and Concern) can be followed.
- We will also use your information for statistical reporting and data analysis to monitor usage and inform development of the counselling services provided. However, all data is anonymised (information that could identify you is removed) before being compiled into management reports.
- Any information you provide from your experience through formal and informal feedback will be used to improve the service. All feedback remains anonymous.

Our lawful basis (reason) for processing your information:

There are several lawful bases that allow for the use of your data under data protection legislation. We will process (use) your personal information at different stages of the counselling process as listed below:

When you (the data subject) have an initial meeting with our Student Experience Team:

- **Personal data** – Article 6 (1) (b) processing is necessary for the performance of a contract to which the data subject is party, or in order to take steps at the request of the data subject prior to entering into a contract.
- **Special category data** – Article 9 (2) (a) the data subject has given explicit consent.

When a referral is made by Student Experience to one of the counselling services:

- **Personal data** – Article 6 (1) (a) the data subject has given consent to processing.
- **Special category data** – Article 9 (2) (a) the data subject has given explicit consent.

When you attend counselling sessions in person or remotely with any of the services above:

- **Personal data** – Article 6 (1) (b) processing is necessary for the performance of a contract to which the data subject is party, or in order to take steps at the request of the data subject prior to entering into a contract.
- **Special category data** – Article 9 (2) (g) processing is necessary for reasons of substantial public interest, enabled by the Data Protection Act 2018 Schedule 1, Part 2, 17 - Counselling.

For the processing of personal data from counsellors (internal or external) to the College's Safeguarding Team (in the event of a safeguarding issue or an emergency):

- **Personal data** – Article 6 (1) (d) Vital interests, where processing is necessary to protect your vital interests (or someone else's).
- **Special category data** – 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, 18 – Safeguarding of children and individuals at risk.

For reviews and analysis of the service, to provide management reports:

All personal data is anonymised, and no lawful basis is required.

What information do we collect about you?

Personal Data	Special Category Personal Data
Name (first name, surname)	Previous/Current access to treatment
Date of Birth	Main Issues/Area of difficulty
Student number	Current Prescribed Medication
Telephone number	
Email address	
Course title	
Campus	

How do we collect it?

We collect this personal information about you:

- Directly from you when you meet with a member of the Student Experience Team for an initial discussion, or during further meetings.

You are required to provide your information for the purpose of being referred to the College counselling services.

If you were to withhold the information we require for this process, the consequences would be:

We would not be able to make a referral to College counselling services and offer counselling support.

Who do we share your information with?

Your personal information will, or may, be shared with the following organisations or college departments:

- We use the information on the Counselling referral form to make referrals to the College Counsellors, Trainee Counsellors and TogetherAll Live Therapy.

Your personal information will be transferred and stored on these systems used by the College:

- MS Office IT systems (including email and Teams).
- Ayrshire College secure servers (Service Shared Drive and Student Experience Database)

The College's Student Counselling Service is committed to paying careful consideration to client confidentiality and consent. Only in certain situations will your personal data be passed to anyone outside the Student Counselling Service. We will only share your personal information if:

- You have given your consent (authorisation) for us to disclose information to a specific person or organisation. In most cases, the counsellor will normally encourage the client to personally pass on information to the relevant person, or agency. Otherwise, consent to disclose information will be sought, if possible.
- In line with the College's Safeguarding Policy, we may share information with the College's Safeguarding Team if, in our judgement, an individual's safety may be at risk, or if the information sharing is essential for effective safeguarding and promoting the welfare of children, young people, parents, carers, adults and others who may be affected by their actions.
- There is a legal obligation to do so, where the counsellor would be liable to civil or criminal proceedings if the information were not disclosed.

All information sharing is carried out securely, and with appropriate documentation in place.

- Clinical supervision is a fundamental requirement of practicing counselling. It also ensures that practitioners are practising safely and effectively. In line with the BACP Ethical Framework, College and Trainee counsellors receive supervision from a supervisor who is independent of the College. Individual clients may therefore be discussed with clinical supervisors external to the College for reflection and advice. All identifying information is removed and the client remains anonymous in this process.

Details of data transfers to any third countries or international organisations

Your information will not be shared outside of the UK.

How do we look after your information and how long do we keep it for?

We will take all reasonable steps to prevent the loss, misuse or alteration of information you give us. Your personal information will be stored securely and will only be accessed by authorised staff. All electronic records, which may include case-notes, forms and letters are stored securely within the College network and are password protected. All such records are only accessible to the staff of the service.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Information such as, initial notes, high-level referral information and records from meetings with the Student Experience Team will be held securely on the Student Experience database for 18 months after the end of the academic year that the personal data was collected.

Referral forms, process emails and discharge forms - will be deleted at the end of each academic year that the data was collected.

Counselling case notes, letters, emails and other records relating to sessions will be held securely on the College's shared drive, with strict access controls. This information will be stored for 5 years after the last counselling session has taken place.

Automated individual decision-making processes, including profiling.

We do not use any automated individual decision-making about you for the purpose of making a referral to College counselling services.

Your rights

Under data protection legislation, you have certain rights in relation to how the College manages and uses your personal information:

- The right to be informed (this is the Privacy Notice)
- The right to access your personal data
- The right to rectification if the personal data we hold about you is incorrect
- The right to restrict processing of your personal data

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In addition, the following rights apply only in certain circumstances:

- The right to withdraw consent at any time (if consent is our lawful basis for processing your data)
- The right to object to our processing of your personal data
- The right to request erasure (deletion) of your personal data
- The right to data portability
- The right not to be subject to automated decision-making including profiling.

For more information about your rights please see www.ico.org.uk.

Contact us

If you have any issues about this notice or the way the College has handled your personal information, please contact our Data Protection Officer in the first instance:

Email: dataprotection@ayrshire.ac.uk

Telephone: 0300 303 0303 or write to:

Data Protection Officer
Ayrshire College, Kilmarnock Campus
Hill Street
Kilmarnock
KA1 3HY

Complaints to UK Information Commissioner's Office (ICO)

If you are dissatisfied with the response from the College you have the right to lodge a complaint with the Information Commissioner's Office about our handling of your data.

You can do this online <https://ico.org.uk/make-a-complaint/>

By telephone: 0303 123 1113 or write to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF