

Student Counselling and Mental Health Advice Service

Confidentiality and Data Protection

What information is held and why?

In order to carry out a professional effective service, The Student Counselling and Mental Health Advice Service maintains a record of client attendance and clinical staff keep notes after each session. Some of what you tell us may be classified as sensitive personal data under GPDR. Further information can be found in the Student Counselling and Mental Health Advice [Privacy Notice](#).

All information is handled in accordance with the College's data protection policy which can be viewed at: <https://www.imperial.ac.uk/media/imperial-college/administration-and-support-services/registry/academic-governance/public/academic-policy/admissions/Privacy-notice.pdf>

We evaluate and research our work using a standard evaluation tool (Counselling Center Assessment of Psychological Symptoms (CCAPS) Instrument 34 and 62), to audit and improve what we do. Students will be asked to complete a short questionnaire before and after attending for counselling or mental health advice. All data collected will preserve the anonymity and confidentiality of our clients. Participation is voluntary and declining to complete the questionnaire will not affect entitlement to counselling or mental health advice.

The Service uses Titanium Schedule (Ti) as standalone electronic client record system. This system meets the security control demanded by Imperial College ICT department and is not accessible to others in the university.

Period of retaining records

Records are retained securely for the current academic year when you are seen followed by six years and are then disposed of confidentially.

Access

Under GDPR you have a right of access to notes held in your file. However, if the notes include information that would identify a third party this will be removed (to preserve the confidentiality of the third party) unless the third party gives consent for access.

Confidentiality

What you tell the team is generally confidential within the Service. The staff will not pass on personal information about clients to anyone outside the Service subject to the following exceptions:

- Where the counsellor has the express consent of the client to disclose the information.
- Where the counsellor believes the client or a third party is in serious danger.
- Where the counsellor would be liable to civil or criminal court procedure if the information was not disclosed.

In any of these circumstances the staff member will seek to obtain consent to disclose information from the client, if at all possible. If there is no indication that this is likely to happen, or if the crisis or danger is sufficiently acute, clinical staff may pass on the information directly.

Evaluation

At the end of your meetings, you will be asked to complete an anonymous evaluation questionnaire. This will be an opportunity for you to give the Service feedback about your experience of the Service, and for you to reflect on that experience.

Supervision

In line with their professional requirements, clinical staff may discuss sessions with other clinical staff members within the Service or with a supervisor external to the Service. In this process the identity of the client is not revealed. The purpose of supervision is to help the staff member reflect on their work.

Code of Ethics

The counsellors adhere to the British Association for Counselling and Psychotherapy *Ethical Framework for Good Practice in Counselling and Psychotherapy*. This can be viewed at www.bacp.co.uk.

Complaints

If you are unhappy with any aspect of the Service we would like to know so that we can try to remedy the situation. In the first instance, a complaint should be discussed with the relevant clinical staff member. If unresolved, it should then be referred to the Head of Student Counselling and Mental Health Advice who is responsible for the management of the Service. Complaints that cannot be settled at this level will be dealt with according to the College's 'Procedure for Dealing with Complaints by Students' continuing at Stage 3 (Stages 1 and 2 will already have been completed). This will entail referral to the Academic Registrar. Details of this Procedure can be found at:

www.imperial.ac.uk/media/imperial-college/administration-and-support-services/secretariat/public/college-governance/charters-statutes-ordinances-regulations/ordinances/Ordinance-E3.pdf

Should you consider that the *Ethical Framework for Good Practice in Counselling and Psychotherapy* has been breached you have the right to make a formal complaint to the British Association for Counselling and Psychotherapy.

If you have any questions about our data protection policy, please feel free to speak to your Counsellor or Mental Health Adviser.

From time to time, we may need to amend this policy in accordance with new professional guidelines.

Updated January 2023

STUDENT COUNSELLING AND MENTAL HEALTH ADVICE SERVICE PRIVACY NOTICE

What is the purpose of this document?

Imperial College of Science, Technology and Medicine (the “College” or “Imperial”) is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your relationship with us, in accordance with the applicable data protection legislation (the Data Protection Act 1998 until 24 May 2018 and the General Data Protection Regulations (the “GDPR”) from 25 May 2018 and the College’s *Data Protection Policy*.

The College is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to all Imperial College students registered with the Student Counselling and Mental Health Advice Service. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are "special categories" of more sensitive personal data which require a

higher level of protection.

We collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Date of birth
- Self-identified gender
- Who you have given us permission to communicate with
- Location of attendance with the service
- Personal information that you have provided us with
- The name of your doctor
- Medication you are taking
- Your Department
- Your year of study
- Your level of study
- Your presenting and emerging issues
- The date you first contacted us
- Dates of appointments
- Who referred you to the service
- Who we suggested you contact
- Brief themes of content of sessions as pseudonymised data
- With whom we have communicated with in the service of your care

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, sexual orientation
- Information about your health, including any medical condition(s), health and sickness records

- Information about criminal convictions and offences
- Information provided to us by those who refer you to the service
- Your feedback about your experience of the service

How is your personal information collected?

We collect most of the personal information about you in person at the Student Counselling and Mental Health Advice Service while providing services to you or after we have provided services to you. We will also collect personal information from those who have referred you to the service. We use Titanium Schedule (Ti) as an electronic client record system. This programme is in line with security measures as laid down by the University's ICT department. You may also provide some personal information through this programme.

How we will use information about you and the legal basis for processing your data under the GDPR

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you or in order to take steps at your request prior to the entry into a contract.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us.
4. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
5. Where it is necessary in order to protect your vital interests or someone else's vital interests.
6. Where you have consented to the processing.

Situations in which we will use your personal information

We need all the categories of information in the list above primarily to provide our service to you. The situations in which we will process your personal information are listed below.

- To provide you with the services that you request from us
- To contact you in relation to your contact with the service
- To help us plan services for Imperial College students in the future
- To ensure we meet any and all legal obligations with regards to the service we provide to you

- To account for our decisions and investigate complaints
- To comply with British Association of Counselling and Psychotherapy guidelines
- To assess the use and effectiveness of the Student Counselling and Mental health Advice Service
- To ensure the information we hold about you is up to date and accurate

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide personal information

If you fail to provide certain information when requested, we may be unable to provide our service to you.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

How we use particularly sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where it is necessary in the context of employment law, or laws relating to social security and social protection.
3. Where the processing is necessary to protect your vital interests (or those of another person) where you are incapable of giving consent.
4. Where the processing is carried out in the course of our legitimate activities as a charity, with respect to our own members, former members, or persons with whom we have regular contact in connection with our purposes.
5. Where the processing relates to personal data which have been manifestly made

public by you.

6. Where the processing is necessary for the establishment, exercise or defence of legal claims, or for courts acting in their judicial capacity.

7. Where the processing is necessary for reasons of substantial public interest, and occurs on the basis of a law that is, inter alia, proportionate to the aim pursued and protects your rights as a data subject.

8. Where the processing is required for the purpose of medical treatment undertaken by health professionals, including assessing the working capacity of employees and the management of health or social care systems and services.

9. Where the processing is necessary for reasons of public interest in the area of public health (e.g. ensuring the safety of medicinal products).

10. Where the processing is necessary for archiving purposes in the public interest, for historical, scientific, research or statistical purposes, subject to appropriate safeguards.

Our obligations

We will use your particularly sensitive personal information in the following ways:

- To assess the impact and effectiveness of our service to you
- To assess the impact and effectiveness of our service to students at Imperial College London
- To monitor student need and trends of those attending the Student Counselling and Mental Health Service in order to improve what we offer
- To create a department annual report using pseudonymised data

Automated decision-making

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

Data sharing

Under usual circumstances we do not share your personal data with a third party except when identity has been removed (anonymised data). We need to share anonymised data with third-party service providers and with other entities in College.

We require third parties to respect the security of the data and to treat it in accordance with the law.

Why might you share my personal information with third parties?

We may share your personal information with third parties where required by law, where it is necessary to administer the relationship with you or where we have another legitimate interest in doing so. In the Student Counselling and Mental Health Advice Service this will be:

- Where we have the express consent of the student to disclose the information
- Where we believe the student or a third party is in significant and serious danger
- Where we would be liable to a civil or criminal court procedure if the information was not disclosed
- To provide an appropriate service to you

Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within the College group. The following activities are carried out by third-party service providers:

ICT – in order to maintain technology and communications

Titanium Schedule – in order to maintain client record system

SilverCloud – in order to maintain service provision for SilverCloud users

How secure is my information with third-party service providers and other entities in our group?

All our third-party service providers and other entities in the College group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business and operations of the College. We may also need to share your personal information with a regulator or to otherwise comply with the law.

Data security

We have put in place measures to protect the security of your information.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, and other third parties who have a business need to know. They will only process your personal information on our instructions, and they are subject to a duty of confidentiality.

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.

Data retention

How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different records the College holds are available in our retention policy which is available on this website: <https://www.imperial.ac.uk/media/imperial-college/administration-and-support-services/records-and-archives/public/RetentionSchedule.pdf>. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, alongside the applicable legal requirements.

In the Student Counselling and Mental Health Advice Service we retain your records for a period of six years in addition to the academic year you were last seen in the Service.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the College's Data Protection Officer in writing.

To maintain your confidentiality within Imperial College you may also contact the Head of Student Counselling and Mental Health Advice service regarding personal data kept within this service only.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the College's Data Protection Officer and the Head of Student Counselling and Mental Health Advice Service. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Data Protection Officer

We have appointed a Data Protection Officer to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Protection Officer at:

Imperial College London
Data Protection Officer
Exhibition Road
Faculty Building Level 4
London SW7 2AZ

e-mail: dpo@imperial.ac.uk

You have the right to make a complaint at any time to the Information Commissioner's Office (**ICO**), the UK supervisory authority for data protection issues.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

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