

Dublin Counselling Service Privacy Policy

The General Data Protection Regulation (GDPR)

GDPR came into force on the 25th May 2018 increasing the obligations and responsibilities for organisations and businesses in how they collect, use and protect personal data. At the centre of the new law is the requirement for organisations and businesses to be fully transparent about how they are using and safeguarding personal data, and to be able to demonstrate accountability for their data processing activities. This policy explains what happens with information you provide.

Data controllers and processors

DCS is both the data controller and the data processor. We are responsible for collecting, processing and controlling your personal information. Processing includes the organisation, retrieval, consultation, use and deletion or destruction of information and its disclosure to other agencies.

Personal data means data relating to a living individual who is or can be identified either from the data or from the data in conjunction with other information that is in, or is likely to come into, the possession of the data controller. This can be a very wide definition depending on the circumstances.

Practitioners at Dublin Counselling Service (DCS) ask you to give us information about yourself to ensure you receive the appropriate service. When you become a client of DCS, we will tell you how your information will be used, and that it may be necessary to share this with other services and organisations with your consent (e.g. General Practitioner). If you do

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not want us to share your information you should let us know. However, there are times when we may still need to share it, for example:

- ❖ Any stated purposes we tell you about when you supply us with information e.g. Case Manager for Employee Assist Programme (EAP) clients; Clinical Supervisor
- ❖ As part of our duty to protect a child, a vulnerable adult, yourself or the public
- ❖ For the prevention and detection of a crime
- ❖ If we are required to do so by any court or law

What information do we record? The information we request from you may include personal or sensitive information, such as, but not limited to:

Personal information	Sensitive personal information
<ul style="list-style-type: none">❖ First / given name❖ Family name / surname❖ Address, email, telephone number(s)❖ Date of birth	<ul style="list-style-type: none">❖ Gender, ethnicity and civil status❖ Religious or other cultural beliefs❖ Physical or mental health or condition❖ Sexuality

What do we use it for? We may also use some of the information you provide us with for other reasons, such as to:

- ❖ *Help us plan services for your future*
- ❖ *Maintain appropriate records*
- ❖ *Respond to any enquiries you make*

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- ❖ *Create an individual profile for you so that we can understand and respect your preferences*
- ❖ *Identify and protect those at risk of harm*
- ❖ *Ensure the accuracy of our records*
- ❖ *Prevent and detect crime*
- ❖ *Protect you and other people*

Information security

We recognise that the information you provide may be sensitive and we will respect your confidentiality. We keep information about you confidential. This means we store it securely and control who has access to it. We will not share any information where we are not legally required to do so except for reasons explained above.

We will only share such information as necessary, and where we are satisfied that the other organisation is entitled to receive it and will keep your information secure. Where data is being transferred to any third party it is the responsibility of DCS to ensure contractual agreements are in place covering security and retention of data. Article 5 of the GDPR requires that personal data shall be:

- ❖ *Processed lawfully, fairly and in a transparent manner in relation to the data subject ('lawfulness, fairness and transparency')*
- ❖ *Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical*

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purposes shall, in accordance with Article 89 (1), not be considered to be incompatible with the initial purposes ('purpose limitation')

- ❖ *Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation')*
- ❖ *Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy')*
- ❖ *Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed ('storage limitation')*
- ❖ *Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').*

Corrections and concerns

If you believe that information we hold about you is incorrect or out of date, or if you have concerns about how we are handling your personal information, please contact us and we will try to resolve those concerns. If you wish to have your personal information deleted, please let us know and we will take reasonable steps to delete it (unless we need to keep it for legal, auditing or internal risk management reasons).

If we become aware of any ongoing concerns or problems concerning our privacy practices, we will take these issues seriously and work to address them.

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Subject Access Requests (SAR)

Under Article 15 of the GDPR, an individual has the right to obtain from the controller, confirmation as to whether personal data concerning them is being processed. Data subjects' have the right to request that their personal data is erased, however DCS recognise that this is not an absolute 'right to be forgotten'. Data subjects only have a right to have personal data erased and to prevent processing if one of the below conditions applies:

- ❖ *Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed*
- ❖ *When the individual withdraws consent*
- ❖ *When the individual objects to the processing and there is no overriding legitimate interest for continuing the processing*
- ❖ *The personal data was unlawfully processed*
- ❖ *The personal data must be erased in order to comply with a legal obligation*
- ❖ *The personal data is processed in relation to the offer of information society services to a child.*

Where one of the above conditions applies and DCS receive a request to erase data, we first ensure that no other legal obligation or legitimate interest applies. If we are confident that the data subject has the right to have their data erased, we will comply with the request.

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This privacy policy applies to all practitioners at Dublin Counselling Service (DCS) and covers all soft and hard copy personal data collected and held by DCS.

If you have difficulty understanding this Privacy Policy or want to ask more questions, please contact us. For further information about GDPR please see

<https://www.dataprotection.ie/docs/GDPR/1623.htm>

<https://www.dataprotection.ie/en/contact/how-contact-us>

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