



# GDPR Privacy Notice for students on counselling training courses

Created on 09/07/2023 by Natalie Power & Michaela Borg

## Introduction

Your privacy is very important to Nayla Counselling Academy & Therapeutic Services, hereafter referred to as Nayla Counselling. You can be confident that your personal information will be kept safe and secure and will only be used for the purpose it was given to us.

Nayla Counselling adheres to current data protection legislation, including the General Data Protection Regulation (EU/2016/679) (the GDPR), the Data Protection Act 2018 and the Privacy and Electronic Communications (EC Directive) Regulations 2003. We also adhere to the ethical guidelines regarding protecting client privacy and confidentiality set by the British Association for Counselling and Psychotherapy (BACP).

This privacy notice informs you on what Nayla Counselling will do with your personal information from initial point of contact through to after your course has ended, including:

- Why we process your information and for what purposes
- Whether you are required to provide it to us
- How long we store it for
- Whether there are other recipients of your personal information
- Your data protection rights

Nayla Counselling is happy to discuss any questions you might have about data management, you can contact us via email or phone:

Email [naylacounselling@gmail.com](mailto:naylacounselling@gmail.com)

Phone 07714 037 007 / 07300 804 088

Our counselling courses sit within a company named Nayla Counselling Academy & Therapeutic Services Limited. There are two directors in Nayla Counselling: Natalie Power and Michaela Borg.

Nayla Counselling is registered as a data controller with the Information Commissioner's Office, ICO (ICO registered number ZB565358).

Nayla Counselling is a registered company in England and Wales (company number 14930580).

The full registered name of the company is:

Nayla Counselling Academy & Therapeutic Services Limited.

The registered address of the company is:

Bryn Teg, Clip Terfyn, Llanddulas, Abergele LL22 8EH.

Our contact information is:

Michaela Borg 07714 037 007	<a href="mailto:naylacounselling@gmail.com">naylacounselling@gmail.com</a>
Natalie Power 07300 804 088	<a href="mailto:naylaenquiries@gmail.com">naylaenquiries@gmail.com</a> <a href="mailto:naylastudents@gmail.com">naylastudents@gmail.com</a>

## Our lawful basis for holding and using your personal information

The GDPR states that we must have a lawful basis for processing your personal data. There are different lawful bases depending on the stage at which we are processing your data. This is explained below.

If you are currently on a course with Nayla Counselling or if you are in contact with us to consider signing up, we will process your personal data where it is necessary for the performance of our contract and legitimate interest. This is because the information we ask for is essential for running a course and ensuring that the course is appropriately assessed, quality assured, and the qualification awarded by CPCAB.

The GDPR also makes sure that we appropriately look after any sensitive personal information that you may disclose to us. This type of information is called 'special category personal information'. The lawful basis for us processing any special categories of personal information, in particular asking you about your current mental health, is to help to make a decision, in discussion with you, about whether you are likely to be able to cope with the academic and emotionally demanding nature of the course (as required by CPCAB). This is because the course is experiential in nature and some personal disclosure will be involved in personal developmental activities.

We will also ask for data on any learning difficulties that you have to ensure that we are able to offer the support that is needed to fulfil our duty of care and make any reasonable adjustments to course delivery and/or assessment.

You may choose to share sensitive personal information with us and/or with peers during the activities on the course, e.g., about your sexual orientation, religion or cultural background, but you will be in control of what and how much of your material you disclose. You will not be put under any pressure to disclose any more material than you are comfortable with. Confidentiality is a fundamental part of the course, and all students will need to agree to a confidentiality contract as part of their engagement in the course.

## How we use your information

### Initial contact

When you contact us with an enquiry about our training courses, we will collect information to help us satisfy your enquiry. This consists primarily of your contact details. Should you decide to proceed with an application we will ask you to complete an application form and invite you to interview. There are no formal qualifications required to take the Level 2 Certificate in Counselling Skills, but we do need to check that you will be able to succeed on the course—for example, we may talk to you briefly about your confidence in meeting the 80% attendance requirement. We will ask you about any previous study to check that you are able to manage the assessments and whether you need any support for learning and/or reasonable adjustments. Additionally, we will talk to you about your mental health as the course involves lots of personal reflection and development and we want to check that you feel able to safely engage with this.

If you decide not to proceed with an application after being offered a place on the course or do not respond to the offer of a place before the course starts, then we will ensure all your personal data is deleted. This will be done within the first two weeks of the course start date (unless you contact us to request a later start date).

## **While you are studying**

Confidentiality is essential for the effectiveness of a counselling relationship. As a member of the BACP, Nayla Counselling abides by the Ethical Framework of that professional organisation. This means that what we discuss on the course, or in connection to the course, is confidential except for some exceptional circumstances, such as when the welfare and safety of yourself or others is at serious risk or if the law requires. These exceptions are:

- If you disclose involvement in, or information about acts of terrorism, money laundering or drug-trafficking offences.
- If you disclose risk of harm to yourself or others which includes safeguarding concerns about a vulnerable person or child.
- If we are ordered to release information by a judge or coroner.
- If we believe there is serious risk of harm to yourself or others.

We will always try to speak to you about this first, unless there are safeguarding or legal issues that prevent this.

Nayla Counselling will keep a record of your personal details to help our services run smoothly. These details are kept securely on a password-protected laptop with anti-virus software and using password-protected Wi-Fi and are not shared with any third party. In addition to your contact information, Nayla Counselling will also ask you for a contact person in the case of an emergency. This might be a family member, friend or your GP and they would only be contacted with your permission.

Contacting your tutors via email is the preferred means of communication. For security reasons, Nayla Counselling does not retain text messages for more than 14 days. If there is relevant information contained in a text message, this will be copied and kept electronically with your notes. Likewise, any email correspondence will be deleted after 14 days if it is not important. If necessary, Nayla Counselling will copy any important elements and save them with your personal details.

## **After your training course has ended.**

Nayla Counselling is required to keep your data for a period of six years, after completion of the course, or withdrawal from the course. UK law states that legal action brought by a student or Nayla Counselling must commence within the six-year period.

After six years, Nayla Counselling will retain only necessary data to identify you and to confirm the dates you studied with us, along with the outcome of your course. This will allow us to support you should you require a reference or duplicate certificate. All other personal data will be disposed of in a secure manner.

## **Third party recipients of personal data**

CPCAB is the awarding body for Nayla Counselling courses. Therefore, we share limited personal data with CPCAB to fulfil specific tasks, for example verifying your Unique Learner Number and uploading your achievement data (if any) to your Personal Learning Record; managing external assessment; certification.

## **Your rights**

You have a right to ask Nayla Counselling to delete your personal information (under the Right to Erasure), to limit how we use your personal information, or to stop processing your personal information. You also have a right to ask for a copy of any information

that we hold about you and to object to the use of your personal data in some circumstances. You can read more about your rights at <https://ico.org.uk/for-the-public/>

Nayla Counselling may also have the right to refuse to comply with your request, for example, to defend a claim or to comply with our insurance terms and conditions. Nayla Counselling will respond to requests, as detailed above, within one month of receiving it in writing.

If Nayla Counselling does hold information about you, we will:

- give you a description of it and where it came from;
- tell you why we are holding it, tell you how long we will store your data and why we made this decision;
- tell you who it could be disclosed to;
- let you have a copy of the information in an intelligible form.

You can also ask Nayla Counselling at any time to correct any mistakes there may be in the personal information we hold about you. To make a request for any personal information we may hold about you, please put the request in writing addressing it to [naylacounselling@gmail.com](mailto:naylacounselling@gmail.com)

If you have any complaints about how Nayla Counselling handles your personal data, please do not hesitate to get in touch with us by writing to or emailing the contact details provided above. Nayla Counselling would welcome any suggestions for improving our data protection procedures.

If having spoken to Nayla Counselling first and you still wish to make a formal complaint about the way we have processed your personal information, you can contact the ICO which is the statutory body that oversees data protection law in the UK. For more information go to <https://ico.org.uk/make-a-complaint>

## Data security

Nayla Counselling takes the security of the data we hold about you very seriously and as such, take every effort to make sure it is kept secure. We take reasonable steps to protect personally identifiable information from loss, misuse, and unauthorised access, disclosure, alteration, or destruction.

Nayla Counselling devices are all password protected, with strong passwords that are all different from each other. Nayla Counselling does not share devices or passwords with anyone.

At Nayla Counselling we keep handwritten or printed information about you to an absolute minimum to protect your data. We do not print or keep duplicate information wherever this can be prevented.

Personal information is stored electronically on computers that are password protected and only accessible by Natalie & Michaela. The WiFi is also securely passworded.

Mobile phones are a dedicated work phones that are locked and only used by Natalie & Michaela. No personal information will be stored on them.

Nayla Counselling does not keep your personal or sensitive information stored on any external hard drive or memory stick.

Nayla Counselling use password protected Gmail accounts for all email communications. This email service provides encrypted emails to ensure that a third-party cannot tamper with emails sent between us. Please see Google's GDPR compliant security measures [https://privacy.google.com/businesses/compliance/#?modal\\_active=none](https://privacy.google.com/businesses/compliance/#?modal_active=none)

Nayla Counselling use TEAMS for online counselling and to store your portfolio contents. This platform is securely encrypted. TEAMS have the facility to record sessions, but this feature will be disabled. TEAMS will not hold your data. I will send you a link to access the online room shortly before our initial session. You can find their privacy notices at <https://learn.microsoft.com/en-us/microsoftteams/teams-privacy>