



EMPOWERED MIND SERVICES

Confidentiality Policy

Empowered Mind Services is committed to maintaining the confidentiality of all client information in accordance with the British Association for Counselling and Psychotherapy (BACP) Ethical Framework, UK legislation, and best practices in the field of counselling and psychotherapy. This policy outlines our approach to confidentiality, data protection, disclosure of information, and record-keeping practices.

About us

At Empowered Mind Services (EMS) we offer confidential counselling services to our clients in accordance with the BACP Ethical Framework for the Counselling Professions.

At EMS we work with employed staff, clinical supervisors, private therapists, and placement therapists. We work with clients in our Private and Low Cost Counselling Service (LCCS) and sometimes in partnerships with other charities/organisations and or community projects.

This policy covers all the above-named stakeholders across the organisation and our partners, proactively protecting their personal/business information from unauthorised access or disclosure. EMS stakeholders are expected to maintain these principles during and after their time with EMS and not disclose any business or client-sensitive information to those outside the organisation. Any breaches of confidentiality are taken seriously and may involve disciplinary action.

Maintaining confidentiality is of vital importance to EMS in developing trusting relationships with our clients and in maintaining wider public credibility.

Definitions

Stakeholder: Is a party that has an interest in a company and can either affect or be affected by the business. The primary stakeholders in a typical corporation are its investors, employees, customers, clients and suppliers.

Personal information: is information that can be used to identify an individual, such as their name, address, date of birth, and contact details.

Business information: is information that is not personal information, but which is still confidential, such as financial information, marketing plans, and intellectual property.

Confidentiality

Confidentiality is a fundamental aspect of the therapeutic relationship. All employees, volunteers, qualified therapists, and trainee therapists at Empowered Mind Services are bound by strict confidentiality agreements. This means that any information shared by clients during counselling sessions or in any other context is treated with the utmost confidentiality and respect.

EMS is committed to protecting the confidentiality of all personal and business information relating to our clients and will only disclose confidential information to third parties with the consent of the client, or where it is legally required to do so.

Procedures:

EMS has in place a number of procedures to protect the confidentiality of client information. These procedures include:

- All client information is stored in secure locations.
- Access to client information is restricted to authorised personnel only.
- All client information is password protected.
- All client information is backed up regularly.
- All client information is destroyed when it is no longer needed.

Disclosing Information:

In certain circumstances, it may be necessary to disclose client information without consent. These circumstances include:

- If there is a risk of harm to the client or others
- If there is a legal requirement to disclose information (e.g., court order)
- If there is a duty to report child abuse or neglect
- If there is a duty to prevent acts of terrorism or money laundering

Relevant stakeholders will be informed of any reasonably foreseeable limitations of privacy or confidentiality in advance of working with EMS – for example, supervision or training – and in circumstances including the risk of harm to individuals or as required by law. This will not be considered a breach of confidentiality. However, the information remains personal and private and in the control of the ‘giver’.

Should it be necessary to disclose personally identifiable details of a client or their counselling to a third party or external organisation outside of the above circumstances, a form will be sent to them and they will need to submit a formal request and or produce a legally binding document.

Clients will be informed and must be kept informed of any issues concerning confidentiality and disclosure in relation to their counselling.

Where clients attend counselling within the NHS and LCCS, the risk protocol must be followed where risk is identified. Risk will always override confidentiality. Placement counsellors must discuss any disclosure requests with their supervisor before taking any action.

In line with the BACP's Ethical Framework for the Counselling Professions, GPs will be informed their patient is receiving counselling only where risk has been identified in the LCCS and by employed private therapists. No further details will be disclosed without the client's consent and the client is informed of this in writing. With NHS clients a copy of the discharge letter is sent to the GP, unless the client has asked for no letter to be sent to the GP. In the LCCS and by employing private therapists the discharge letter is sent to the client only.

Where email is used as a form of communication about specific clients, information contained will be anonymised – and an encrypted EMS email address will be used, where possible.

The client's individual counselling contract will contain details of the confidentiality boundaries that apply to that counselling referral.

Disclosing of Information Process

In the rare event when information needs to be disclosed to an external authority, such as a GP, the following procedure is recommended:

- Stakeholder/placement therapist to discuss the situation with their EMS supervisor or, where necessary, another EMS supervisor or suitable member of EMS Management.
- Where the supervisor or EMS Management cannot resolve the situation then relevant external professional/legal advice will be taken in confidence to resolve the situation.
- The stakeholder will have the decision, and the reasons for it, explained to them – within the confidentiality restraints of any external organisation involved.
- EMS will make every effort to resolve situations as quickly as possible. • Each case will be considered on its individual merits. Where risk is identified, whether threats of suicide or physical harm to another, it is imperative that disclosure is discussed with clients so, where possible, they can give consent for disclosure.
- In cases where the recommended procedure has been followed and a child or vulnerable adult is still felt to be at risk or in danger, Social Services must be informed.

Data Protection

Empowered Mind Services complies with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. We collect and process client data only for the purposes of providing counselling services and maintaining accurate records. Client data is stored securely and only accessible to authorised personnel.

Storing Information:

Empowered Mind Services maintains accurate and up-to-date records of client sessions, assessments, and other relevant information. Client records are kept securely and are accessible only to authorised personnel. Records are retained in accordance with legal requirements and professional guidelines.

Where appropriate, personal information about stakeholders is anonymised and securely stored electronically in a password-protected server, held in confidence within EMS.

Electronic records are maintained in accordance with the Data Protection Act 1998 and the General Data Protection Regulations 2018. An individual who is the subject of a computer record is entitled under the Act to access their record, as well as the right to erase, amend or restrict the processing of the data held under these regulations.

EMS will immediately inform anyone if their data confidentiality has been breached. Personal information includes name, date of birth, contact information of stakeholders and an emergency contact, copies of professional qualifications, some elements of personal history, insurance and accreditation status, photographs, and medical information.

Verbal Confidentiality

For the purposes of training and supervision, therapists and trainee therapists need to discuss clients. Supervisors are expected to regularly remind placement counsellors of the importance of confidentiality and to provide guidance on maintaining confidentiality. When presenting a client in supervision, care should be taken to conceal client identity – i.e. initials or first names only should be used.

Clients should not be discussed outside the supervision group. If a therapist feels the need to consult a colleague outside the supervision group (but still within EMS) this should be done in private and not in the presence of staff or other therapists and or in spaces or within the hearing of others. On no account should clients or therapy related issues be discussed in public places (including stairs, toilets, cafes, etc).

If any member of the supervision group knows or has any connection to the client being presented, that person should absent themselves from the group, at least for that case presentation. EMS will endeavour when possible, to not place counsellors and trainees in groups where they know or have any connections to clients being discussed.

Written case histories are a useful learning tool in training and supervision as an example of good practice. Any written case histories to be used in this way must have identifiable information redacted and anonymised before sharing. Any case material used in seminars, case presentations or discussion groups should be disguised to conceal client identity. If client case material is to be used for external discussion of any kind, the client's informed written consent must be obtained, as well as consent from EMS. Trainees or therapists using ongoing case material (as opposed to snippets) in their written work should obtain the client's written consent.

Media Content and Requests for Information

EMS from time to time may wish to interview a client for quality control, marketing or similar purposes, the client will be asked if they wish to participate. It is entirely their decision and no

pressure will be placed on them to agree. Any external individual, organisation or media requests for information made to a therapist must be immediately passed to EMS senior management who will decide the appropriate course of action. All therapists must not entertain further communication with the external individual, organisation or media requesting the information, whether directly or indirectly.

Social media platforms such as LinkedIn, Twitter, Instagram or Facebook are not to be used to communicate or disclose any information regarding EMS or stakeholders. Anyone who is writing for publication using their EMS experience must first pass their anonymised work to senior management for agreement.

Reasonably Foreseeable Limitations to Confidentiality

These include any limitations that a reasonably competent practitioner may anticipate as causing difficulties in protecting client confidence – for example, arising from legal or contractual obligations to disclose confidential information, or to protect people from serious harm. Some situations that arise in practice may be so unexpected or exceptional that they are not considered to be reasonably foreseeable.

Breaching Confidentiality

This is where something is disclosed that has been communicated in confidence by mutual agreement, or with the expectation that it will be kept secret. The expectation of secrecy may have been stated explicitly or implied. Confidentiality is breached when any disclosure is made without the consent of the person concerned, legal authorisation or being legally defensible in the public interest.

Breaches can occur accidentally or deliberately. In most circumstances, obtaining the consent of the person concerned provides an ethical way of avoiding a breach of confidentiality. Any disclosure of confidential information requires respecting the possible rights to confidentiality of any third person who is identifiable within the disclosure.

BACP Ethical Framework

Our confidentiality policy is informed by the BACP Ethical Framework, which sets out principles and standards of good practice for counselling and psychotherapy. We are committed to upholding the values of autonomy, beneficence, non-maleficence, justice, and fidelity in all aspects of our work.

Training and Compliance

All employees and volunteers at Empowered Mind Services receive training on confidentiality, data protection, disclosure of information, and record-keeping practices. Regular updates and refresher training are provided to ensure compliance with this policy and relevant legislation.

Complaints

If a client has any concerns about the confidentiality of their information, they should contact complaints@empoweredmindservices.co.uk

EMS will investigate any complaints and take appropriate action.

Review and Revision

This confidentiality policy is reviewed regularly to ensure that it remains up-to-date and compliant with legal and professional requirements. Any changes to the policy will be communicated to all staff and stakeholders.

By adhering to this confidentiality policy, Empowered Mind Services aims to create a safe and trusting environment for clients to explore their thoughts, feelings, and experiences without fear of judgement or breach of confidentiality.