

## **Policy on the Request for Disclosure of Personal Data by Third Parties, including Report Writing**

Confidentiality is central to the counselling relationship and considered crucial so that a client may develop sufficient trust to be able to use the counselling relationship effectively.

The One to One Project abides by the BACP Ethical Framework. Confidentiality is a central principle of our work and is the responsibility of everyone who works and volunteers with the Project.

This policy seeks to provide guidance how to manage situations where data may need to be shared with other organisations in order to uphold our duty of care to clients and comply with the law.

### **1. CONFIDENTIALITY AND DISCLOSURE OF INFORMATION**

#### **1.1 Access to counselling records by the police**

The Police will not be granted access to counselling records without a warrant (see S.9(1) and (2)(b), Police and Criminal Evidence Act, 1984). Any request by the Police Service to see counselling records must be made to the Project Manager of the One to One Project who will seek appropriate legal advice to ensure that information is only released when appropriate.

#### **1.2 Access to counselling records by solicitors**

Counselling records and associated personal information will not be released to a solicitor, even with the client's consent, without a subpoena. A request for a factual account of a client's attendance at the One to One Project will be considered, but any such account will not include clinical information.

#### **1.3 Access to counselling records by the courts**

Courts can gain access to any records in the public interest; this is quite independent of client consent. In order to demonstrate our commitment to maintaining the highest possible levels of confidentiality we will not surrender client files without a court order or subpoena.

#### **1.4 Access to counselling record by the client**

Such requests must be put in writing and where deemed appropriate, an appointment can be made to view that information. Any such disclosures will adhere to relevant Data Protection laws.