



**Cork
Counselling
Services**
Est. 1982

Data Protection & Privacy Policy

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Cork Counselling Services will protect and respect your privacy

As a professional counselling organisation, there is little in our work that we take more seriously than your privacy.

This policy explains when and why we collect personal data about people, how we use it, the conditions under which we disclose it to others and how we keep it secure. It outlines how you can access the data we hold about you or how you can have it updated or, if you wish, erased. We are fully committed to protecting and respecting your privacy in compliance with the Data Protection Acts 1988 and 2003 (as amended), and GDPR.

We will change this policy from time-to-time and the most up-to-date version will be on our website; please check to ensure that you are aware of any changes. Any questions regarding this Statement and our privacy practices should be sent to our Data Controller:

By email: info@corkcounsellingservices.ie

By phone: 021 4274951

Or by writing to: Data Controller, Cork Counselling Services, 7, Fr Mathew St, Cork

Who are we?

Cork Counselling Services is a registered charity and not-for-profit organisation (Charity Number CHY 8911, Registered Charity Number 20022327, Company Registration Number 110910) with registered offices at 7, Fr Mathew St, Cork.

Since 1982 we have provided professional counselling, psychotherapy and training services in the south of Ireland. All profits made in training go to ensuring counselling is available regardless of the clients ability to pay.

How do we collect data from you?

We may obtain data about you for example, when you apply for employment, or for a volunteering opportunity, when you are referred or refer yourself for counselling or support services, when you apply to train with Cork Counselling Services Training Institute, when you request a school visit by our ACT Now Suicide Prevention and Mental Health Programme, when you attend an educational or fundraising event organised by us or when you make a donation via our website or as a result of a mailing or in person.

What type of data do we collect from you and how is it stored?

The personal data we collect might include your name, address, email address, phone number. If you make a once-off or recurring donation online using your credit / debit card your card information is not retained by us; it is processed by a third party, i-Donate, who specialise in secure capture and processing of donor card transactions.

Sensitive personal data is personal information relating to your religious or ethnic origin, religious or political opinions, sexual orientation, physical or mental health, trade union membership or criminal convictions. We don't ask for sensitive personal data about you unless you are applying for an employment or volunteering opportunity with us, unless you are looking to attend counselling or support with us or to do training/education with us. Such applications request some sensitive personal data relating to physical and mental health, and criminal convictions for the purpose of Garda vetting.

Personal data on clients availing of counselling or support clients is not held on computer. This data is stored in hard copy and the file identifier is encrypted and stored securely. The information in this file is available only to your counsellor or to his/her supervisor.

What do we do with your data?

We will, for example:

- Process a job application.
- Process a volunteering application.
- Process a once-off or recurring donation that you have made.
- Seek your views or comments on the services we provide / activities we undertake.
- Look to assist our counsellors to engage in counselling or personal support interventions with you.
- Look to assist our trainers to engage in training and education interventions with you.
- Notify you of changes to our services.
- Send you communications that may be of interest to you. These might include information about appointments, courses, fundraising events, or information on volunteering.

- Respond to an interest you have expressed in receiving a school visit under our ACT Now Suicide Prevention and Mental Health Programme for schools

We may use your data for statistical reports. These statistics will not include any data that could be used to identify you or any individual. We will store and use the personal data you submit to us in accordance with the Data Protection Acts 1988 and 2003 (as amended) and GDPR.

How long will we keep your personal data?

We retain data for periods necessary to comply with legal obligations (e.g. tax compliance), and for the duration needed to manage relationships with existing and former supporters, students, clients, volunteers and employees.

Who has access to your data?

We do not and will not sell or rent your data to any third-party organisation for marketing, fundraising or campaigning purposes.

We may disclose student data to accrediting bodies (eg. Coventry University and Irish Association Counselling Psychotherapy (IACP)). They are only permitted to use the data in accordance with the Data Protection Acts 1988 and 2003 (as amended) and GDPR. We will supply the minimum data necessary for them to conduct their auditing or accreditation functions.

We may use client data for statistical reports. Cork Counselling Services have Service Level Agreement type contracts with Tusla and HSE for which funding is provided. These statistical reports will not include any data that could be used to identify you or any individual. These bodies are only permitted to use the data in accordance with the Data Protection Acts 1988 and 2003 (as amended) and GDPR.

In general, as a counselling or support client or as a student, your explicit permission will be sought in the rare situation that any personal data is disclosed to a third party. However, where we are legally or professionally obliged to report data to statutory bodies (for example by a court order or for the purposes of prevention of fraud or other crime), we will do so. We always look to do this in conjunction with our client or student, so that they are kept fully informed by us. Before training, counselling or support commences, we will outline all such possible scenarios so that clients are fully informed prior to disclosing such information.

Please be reassured that we will not release your data to third parties beyond Cork Counselling Services for them to use for their own direct marketing purposes, unless you request for us to release your data to a third party (eg. for a employment reference).

When you submit data using our secure online once-off donation pages, or when you sign up for a recurring donation using your credit / debit card, your donation is processed by third-party payment processors i-Donate, who specialise in the secure capture and processing of credit / debit card transactions. When you submit data using our secure online recurring donation pages on our website, we process your donation using the bank details you submit.

What choices do you have?

You have a choice about whether or not you wish to receive information from us. If you do not want to receive communication from us about the work we do, then you simply need to inform us on info@corkcounsellingservices.ie

We will not contact you by email, phone, text message or post if you have indicated that you do not wish to be contacted. You can inform us of your latest preferences at any time by contacting us by email: info@corkcounsellingservices.ie or by telephone: 021 4274951.

How can you access and update the data we hold about you?

You have the right under the Data Protection Acts 1988 and 2003 (as amended) and GDPR to know what data we hold about you and to ask, in writing, to see your records, to amend your records or to have your records erased. In certain circumstances we will be unable to delete data entirely for statutory purposes such as tax and accounting legislation, but in such cases we will remove your data from any other processing activities.

The accuracy of your data is important to us. If you change email address, or any of the other data we hold is inaccurate or out of date, please email info@corkcounsellingservices.ie, or you can write to Data Controller, Cork Counselling Services, 7, Fr Mathew St, Cork. Alternatively, you can telephone: 021 4274951.

You have the right to ask for a copy of the data Cork Counselling Services holds about you. We will comply with your request within 30 calendar days of receipt. To receive

a copy of the data Cork Counselling Services holds about you, please email info@corkcounsellingservices.ie. Or you can write to Data Controller, Cork Counselling Services, 7, Fr Mathew St, Cork. Alternatively, you can telephone: 021 4274951.

You have the right to have the data Cork Counselling Services holds about you erased. We will comply with your request within 30 calendar days of receipt, in accordance with legislation. If you wish to have the data Cork Counselling Services holds about you erased, please contact our Data Controller using the contact details above.

Cork Counselling Services is entitled to contract with you privately so that you waive these rights in the interest of the proper provision of services to you.

What security precautions are in place to protect the loss, misuse or alteration of your data?

When you give us personal data, we take steps to ensure that it is secure. Any sensitive data received through our website (such as credit or debit card details or other banking data) is encrypted and protected with the following software: 128 Bit encryption on SSL.

Non-sensitive details (your email address, etc.) are transmitted normally over the Internet, and this can never be guaranteed to be 100% secure. As a result, while we strive to protect your personal data, we cannot guarantee the security of any data you transmit to us, and you do so at your own risk. Once we receive your data, we use technical and organisational precautions to prevent the loss, misuse or alteration of your personal data.

The data which you provide to us will not be transferred to countries outside the European Union (EU).

How do we use data we gather for applications for employment/ volunteering opportunities at Cork Counselling Services

When you apply for an employment or volunteering opportunity with Cork Counselling Services, we will collate your personal data to monitor the progression of your application and monitor the effectiveness of the recruitment process through the statistics collected. Where we need to share your information – such as gathering

references, garda vetting and / or police clearance, you will be informed beforehand, unless the disclosure is required by law. These checks are only completed after a position has been offered to the successful candidate and with his/her permission.

Personal data about unsuccessful applicants are held for 12 months after the recruitment exercise is complete for that particular vacancy. Applicants can ask us to remove their data before this time if they do not want us to hold it.

Once a successful applicant has taken up an employment / volunteering position with Cork Counselling Services, we will compile a file relating to their tenure of employment / volunteering. The data contained in this will be kept secure and will only be used for purposes directly relevant to the position. Once you have left Cork Counselling Services, we will retain the file in accordance with the requirements of the law and our retention schedule and then delete it from our files.

Do we use 'Cookies'?

Like many other websites, this Cork Counselling Services website uses 'Cookies', which are small pieces of data many websites send to your computer and stored on your hard drive to allow those websites to recognise you when you visit. They collect statistical data about your browsing actions and patterns. For example, they may store details that you submit on the site, such as your personal settings, your location, etc. Using cookies does not allow us to identify users personally; we will only store data that you have specifically given us permission for.

Our website uses a small number of cookies to give us a better overall picture of how people interact with our website, and how we can improve our services to you. The data we gather through this process is completely anonymous, and visitors to the site cannot be identified.

We use some tools on our pages from social networks, such as Twitter and Facebook. Any data used via these tools is not shown to us, and we don't store any data from them. Please refer to each site's own privacy policies for more data.

All browsers allow you to manage which cookies you accept, reject and delete. You can usually find these controls under the 'Preferences' or 'Tools' menu. You can find more detail about individual browser settings at <http://www.aboutcookies.org>.

If you choose not to accept cookies from our website, some sections of the website may not work properly.

Does this privacy statement cover links to or from other websites?

Our website may contain links to other websites run by other organisations. This privacy statement applies only to our website, so we encourage you to read the privacy statements on other websites you may visit. We cannot be responsible for the privacy policies and practices of other sites even if you access them using links from our website.

If you linked to our website from a third-party site, we cannot be responsible for the privacy policies and practices of the owners and operators of that third-party site and recommend that you check the privacy statement of that third-party site.

What if I am 16 years of age or under?

We are concerned to protect the privacy of children aged 16 years or under. If you are aged 16 years or under, please get your parent / guardian's permission beforehand whenever you provide us with personal data.

What if there is a breach?

The Data Protection Officer should be notified without delay when a digital or manual breach of personal data occurs. A personal data breach can be broadly defined as a security incident that has affected the confidentiality, integrity or availability of personal data. Personal data breaches can include:

- access by an unauthorised third party;
- deliberate or accidental action (or inaction) by a controller or processor;
- sending personal data to an incorrect recipient;
- computing devices containing personal data being lost or stolen;
- alteration of personal data without permission; and
- loss of availability of personal data.

Cork Counselling Services will report a data breach to the Data Protection Commissioner or/and the affected individual in circumstances where, *'A personal data breach may, if not addressed in an appropriate and timely manner, result in physical,*

material or non-material damage to natural persons, such as loss of control over their personal data or limitation of their rights, discrimination, identity theft or fraud, financial loss, unauthorised reversal of pseudonymization, damage to reputation, loss of confidentiality of personal data protected by professional secrecy or any other significant economic or social disadvantage to the natural person concerned' (Recital 85, GDPR). In other words, if the breach is likely to risk adverse effects on an individual's rights and freedoms then Cork Counselling Services will inform the individual and inform the Data Protection Commissioner within 72 hours of discovery. We will maintain a record of all personal data breaches which will also include justifications for not reporting any data breaches.

How long is data held in Cork Counselling Services?

Client Records Held	Default retention period	Final disposition
Service User name, telephone number, email, general location of home Service User counselling notes which may/may not enclose personal data but does include first name and client ID which may be identifiable when used with other, separately stored data	7 years following termination of counselling in accordance with best practice guidelines (IACP and IAHIP).	Destroy by confidential shredding & Delete permanently from systems

Staff Records Held	Retention period	Final disposition
Staff Personnel Files, including, but not limited to, all HR material, any employment related data, employment permits, accident reports Annual/sick leave records, time sheets, records of staff training	Retain for duration of employment. On retirement or resignation hold for a further 6 years	Destroy by confidential shredding & Delete permanently from systems
Applications and CV's of candidates who are shortlisted for interview or called for interview, or who do not accept an offer including any references received, interview marking sheets and interview board notes. Candidates not qualified or short listed.	Retain for 18 months after closing of competition	Destroy by confidential shredding or delete permanently from systems
Finance/pension/retirement records	Retain until pensioner and dependent spouse are deceased and dependent children are finished full time education plus 3 years.	Destroy by confidential shredding & Delete permanently from systems
Discipline records	Hold on personal file/disciplinary file for duration of employment plus 6 years after resignation/retirement, then destroy. Where disciplinary policy provides for earlier removal, destroy, but keep a record that a warning was issued. Where the matter involved criminal activity, these records should be retained indefinitely	Destroy by confidential shredding & Delete permanently from systems

Legal basis	Data & Record Keeping Requirement
Statute of Limitations Act, 1957	Any document relating to a tort or contract claim (save personal injury) that can be raised within 6 years from the cause of action
Taxes Consolidation Act 1997	Any accounts, books of account, documents and any other data maintained manually or by any electronic, photographic or other process [...] relating the carrying on or exercising of a trade, profession or other activity to be retained for 6 years from the completion of the acts or operations to which they relate
Companies Act 2014	Accounting records of a company following the end of the financial year to which they relate
Organisation of Working Time Act 1997	Hours worked (Time sheets), Medical certificates, Annual leave & special leave requests to be retained for 3 years
Protection of Young Persons Act 1996	1 year as claims must be brought within 12 months of the date of the offence.
National Minimum Wage Act 2000	Salary information – pay slips to be retained for 3 years.
Protection of Employment Acts, 1977-2007	To be retained for 3 years. Records in relation to collective redundancies to be retained for 3 years.
Minimum Notice and Terms of Employment Acts 1973-2005	To be retained for 1 year
Terms of Employment (Information) Acts 1994 – 2014	A copy of the written statement to be held for the duration of the employee's employment and for 1 year thereafter.
Payment of Wages Act 1991	To be retained for 1 year
Carer's Leave Acts 2001-2006	To be retained for 8 years.
Parental Leave Acts 1998-2013	Parental Leave and Force Majeure leave records to be kept for 8 years.
Paternity Leave and Benefit Act 2016	Must be kept for 8 years
Employment Permits Acts 2003 to 2014	The records to be retained for 5 years or for the duration of employment.
Safety Health and Welfare at Work Act 2005	Records containing full details of all accidents or dangerous occurrences to be kept for 10 years from the date of the accident and notified to the Health & Safety Authority at the time of the incident.

Best Practice	Data & Record Keeping Recommendation
Employment Equality Acts 1998-2015	Records relating to the recruitment process should be retained for a 1-year period. 1 year as complaints can be made within 6 months from the date of an alleged discrimination which can be extended to 12 months in exceptional circumstances. Adjudication Officer authorised under the Act to inspect an employer's records during an investigation. Discrimination claims may result in awards in respect of arrears of up to 6 years pay so records should be kept for at least 6 years.
Equal Status Act 2000-2011	To be retained for 1 year
Maternity Protection Act 1994-2004	To be retained for a minimum of 1 year
Adoptive Leave Act 1995-2005	To be retained for a minimum of 1 year
Unfair Dismissals Acts 1977-2015	To be retained for a minimum of 1 year
Redundancy Payments Acts 1967-2014	To be retained for a minimum of 1 year
Protected Disclosures Act 2014	To be retained for at least 1 year