



Confidentiality Policy

Confidentiality is at the heart of counselling. It helps create trust, safety and a space where you can speak openly. This policy explains how I protect your information, the rare situations where confidentiality may need to be broken, and how your data is stored and used at The Listening Ear.

This policy applies to all counselling sessions; in person, online or by telephone and covers adults, children and adults at risk.

1. My Commitment to Confidentiality

I am committed to:

- Protecting your privacy and personal information.
- Being clear about the limits of confidentiality from the start.
- Holding your information with care, respect and trauma-informed practice.
- Sharing information only when there is a legal or ethical need to protect you or someone else from harm.
- Keeping all supervision, administration and record-keeping processes confidential.

2. Legal and Ethical Framework

Confidentiality at The Listening Ear follows:

- BACP Ethical Framework (2018, updated 2024)
- UK GDPR and Data Protection Act 2018
- Children Acts 1989 & 2004
- Care Act 2014
- Mental Capacity Act 2005
- Domestic Abuse Act 2021 (including coercive control)
- Online Safety Act (2023–2024 rollout)
- Counselling Information Regulations (2025) — counselling notes are protected information and can only be disclosed under strict legal conditions.

3. Limits to Confidentiality

Most of what you share in counselling stays private. However, confidentiality is not absolute. Information may need to be shared if:

1. There is a risk of serious harm to you or someone else (including suicide, violence or coercive control).
2. There is concern about significant harm to a child, young person or adult at risk.
3. Abuse, neglect, exploitation or online grooming is disclosed or suspected.
4. I am legally required to share information (e.g., terrorism, serious crime, court order).
5. Sharing information is necessary to protect someone's vital interests.

Whenever it is safe to do so, I will explain what needs to be shared, with whom, and why.

4. Children and Young People

Young people have a right to confidentiality if they are able to understand the counselling process (Gillick competence). However, confidentiality cannot be kept if there is a safeguarding concern or risk of harm.

I will consider parental responsibility when deciding what can be shared. Parents or carers will only be informed if it is necessary for the young person's safety or required by law.

5. Adults at Risk and Mental Capacity

If an adult may be at risk or lacks mental capacity, information may be shared with relevant professionals to protect them from harm, in line with the Mental Capacity Act 2005 and Care Act 2014.

6. Record Keeping and Data Protection

I follow UK GDPR and the Data Protection Act 2018 by ensuring:

- Notes are factual, minimal and stored securely using encrypted, password-protected systems.
- Safeguarding records are kept separately from counselling notes.
- Records are kept for seven years, or until a child reaches age 25 (whichever is longer).
- You can request access to your records, or ask for corrections to inaccurate information.
- Data is securely deleted or shredded once the retention period ends.

Under the Counselling Information Regulations (2025), counselling notes are protected counselling information and can only be shared under strict legal conditions.

7. Supervision

I discuss my work in professional supervision to ensure safe and ethical practice. These discussions are anonymised and bound by the same confidentiality and safeguarding limits.

8. Communication and Technology

To protect your confidentiality:

- I use secure, encrypted email and password-protected devices.
- Sensitive information is not shared by text, WhatsApp or social media.
- Online sessions take place on secure, encrypted platforms.
- You are encouraged to join online sessions from a private, safe space.

9. Safeguarding and Information Sharing

If a safeguarding concern requires external referral, I will contact the appropriate local authority based on where you live.

For clients in my local area (MK43), this is:

Bedford Borough Council

- Children's Services / MASH: 01234 718700
- Out of hours: 0300 300 8123
- Adult Safeguarding Team: 01234 276222

I will only share information that is necessary, and I will record all actions clearly and securely.

10. Breaches of Confidentiality or Data Security

If a confidentiality or data breach occurs:

- I will investigate and record the incident.
- You will be informed if your information is affected.
- The Information Commissioner's Office (ICO) will be notified if required.

11. Confidentiality After Death

Confidentiality continues after a client's death. Information will only be disclosed if legally or ethically required. My clinical will ensures that all client data is handled securely and respectfully.