

Privacy Notice for Student Counselling

Ayrshire College (the College) is providing you with this information to comply with data protection law to ensure that you are fully informed and that we are transparent about how we collect and use your personal data.

This Privacy Notice provides essential information about how the College handles your personal data (information) and the rights you have in relation to how we use it. The College is committed to complying with all applicable Data Protection legislation.

Who are we?

Ayrshire College is the 'Controller' and is responsible for looking after the personal data that you provide.

Registered office – Ayr Campus
Dam Park, Ayr
KA8 0EU

For any queries or concerns about how your personal data is being processed you can contact the Data Protection Officer (DPO) at dataprotection@ayrshire.ac.uk

This privacy notice relates to the following process:
STUDENT COUNSELLING SERVICES

Purpose for processing – why do we collect information about you?

We collect and use your information to deliver an effective Counselling Service which includes the following:

- Counselling sessions delivered by College counsellors, face to face and remotely.
- Counselling sessions delivered by Trainee Student counsellors, face to face and remotely. This is an external service.
- Resources and 1:1 counselling delivered remotely by The Talking Rooms via their Live Therapy service. This is an external service.

Students who would benefit from either service will be referred by our Student Experience Team.

We collect and use your information for the following purposes:

- To help us understand your needs, to decide if an appointment with one of the counsellors is appropriate and to make a referral to them. This includes

informing the counselling services of your needs so they can provide appropriate support.

- Once you are receiving support from either service, any personal information is between you and your counsellor. However, in the event of an emergency (where you may be deemed to be at risk to yourself or others and where significant information is shared that raises concern) counsellors from any of the services will share limited information with us so that the College's safeguarding procedures can be followed.
- We will also use your information for statistical reporting and data analysis to monitor usage and inform development of the counselling services provided. However, all data is anonymised (information that could identify you is removed) before being compiled into management reports.
- Any information you provide from your experience through formal and informal feedback will be used to improve the service. All feedback remains anonymous.

Our lawful basis (reason) for processing your information is / are:

When you (the data subject) have an initial meeting with our Student Experience Team:

- **Personal data** – contract.
- **Special category data** – explicit consent.

When a referral is made by Student Experience to one of the counselling services:

- **Personal data** – consent.
- **Special category data** – explicit consent.

When you attend counselling sessions in person or remotely with any of the services above:

- **Personal data** – contract.
- **Special category data** – substantial public interest, enabled by the Data Protection Act 2018 Schedule 1, Part 2, 17 – Counselling.

For the processing of personal data from counsellors (internal or external) to the College's Safeguarding Team (in the event of a safeguarding issue or an emergency):

- **Personal data** – vital interests, where processing is necessary to protect your vital interests (or someone else's).
- **Special category data** – Vital interests, and substantial public interest, enabled by the Data Protection Act 2018, Schedule 1 Part 2, 18 – Safeguarding of children and individuals at risk.

For reviews and analysis of the service, and to provide management reports:

- All personal data is anonymised, and no lawful basis is required.

What information do we collect about you?

We collect your name and contact details to allow us to identify you and communicate with you about your application / referral form.

We collect the following personal information to allow us to provide appropriate counselling services:

Personal Data	Special Category Personal Data
Name (first name, surname)	Previous/Current access to treatment - health information
Date of Birth	Main Issues/Area of difficulty - health information
Student number	Current Prescribed Medication
Telephone number	
Email address	
Course title	
Campus	

Where you have provided 'special category data' (e.g. ethnicity, sexual orientation, race, health data) we may use this information to carry out statistical analysis to ensure we're advancing equality of opportunity and treatment for all student groups. This enables the College to meet its duties under the Equality Act 2010. This information will be anonymised.

How do we collect it?

We collect this personal information about you: Directly from you when you meet with a member of the Student Experience Team for an initial discussion, or during further meetings. You are required to provide your information for the purpose of being referred to the College counselling services.

If you don't share your data with us, we would not be able to make a referral to College counselling services and offer counselling support.

Information used for statistical analysis is always anonymised.

Who do we share your information with?

Your personal information will, or may, be shared with the following organisations or college departments:

- We use the information on the Counselling referral form to make referrals to the College Counsellors, Trainee Counsellors and The Talking Rooms Therapy.

Your personal information will be transferred and stored on these systems used by the College:

- MS Office IT systems (including email and Teams).
- Ayrshire College secure servers (Service Shared Drive and Student Experience Database)

The College's Student Counselling Service is committed to paying careful consideration to client confidentiality and consent. Only in certain situations will your personal data be passed to anyone outside the Student Counselling Service. We will only share your personal information:

- where you have given your consent (authorisation) for us to disclose information to a specific person or organisation. In most cases, the counsellor will normally encourage the client to personally pass on information to the relevant person, or agency. Otherwise, consent to disclose information will be sought, if possible.
- in line with the College's Safeguarding Policy. We may share information with the College's Safeguarding Team if, in our judgement, an individual's safety may be at risk, or if the information sharing is essential for effective safeguarding and promoting the welfare of children, young people, parents, carers, adults and others who may be affected by their actions.
- if there is a legal obligation to do so; where the counsellor would be liable to civil or criminal proceedings if the information were not disclosed.

All information sharing is carried out securely, and with appropriate documentation in place.

- Clinical supervision is a fundamental requirement of practicing counselling. It also ensures that practitioners are practising safely and effectively. In line with the BACP Ethical Framework, College and Trainee counsellors receive supervision from a supervisor who is independent of the College. Individual clients may therefore be discussed with clinical supervisors external to the College for reflection and advice. All identifying information is removed and the client remains anonymous in this process

Details of data transfers to any third countries or international organisations

Your information will not be shared outside of the UK.

How do we look after your information and how long do we keep it for?

We will take all reasonable steps to prevent the loss, misuse or alteration of information you give us. Your personal information will be stored securely and will only be accessed by authorised staff, agents, contractors and other organisations who have a business need to know. They will only process your personal information on our instructions, and they are subject to a duty of confidentiality and must comply with data protection law.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Retention

- Information such as, initial notes, high-level referral information and records from meetings with the Student Experience Team will be held securely on the Student Experience database for 18 months after the end of the academic year that the personal data was collected.
- Referral forms, process emails and discharge forms - will be deleted at the end of each academic year that the data was collected.
- Counselling case notes, letters, emails and other records relating to sessions will be held securely on the College's shared drive, with strict access controls. This information will be stored for 5 years after the last counselling session has taken place.

Automated individual decision-making processes, including profiling.

We do not use any automated individual decision-making about you.

Your rights

Under Data Protection law you have certain rights in relation to how the College manages and uses your personal information:

- The right to be informed (this is the Privacy Notice)
- The right to access your personal data
- The right to rectification if the personal data we hold about you is incorrect
- The right to restrict processing of your personal data

In addition, the following rights apply only in certain circumstances:

- The right to withdraw consent at any time (if consent is our lawful basis for processing your data)
- The right to object to our processing of your personal data
- The right to request erasure (deletion) of your personal data
- The right to data portability
- The right not to be subject to automated decision making, including profiling.

For more information about your rights please see www.ico.org.uk.

Contact us

If you have any issues about this notice or the way the College has handled your personal information, please contact our Data Protection Officer in the first instance:

email dataprotection@ayrshire.ac.uk

Telephone: 0300 303 0303 or write to:

Data Protection Officer
Ayrshire College, Kilmarnock Campus
Hill Street
Kilmarnock
KA1 3HY

Complaints to UK Information Commissioner's Office (ICO)

If you are dissatisfied with the response from the College, you have the right to lodge a complaint with the ICO about our handling of your personal data:

email: [Make a complaint | ICO](#)

Telephone: 0303 123 1113 or write to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

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