

General Data Protection Regulation (GDPR)

The term 'associates' in this document constitutes all members and associates of the Universities Psychotherapy and Counselling Association (UPCA).

Data protection responsibilities

UPCA will:

- Ensure associates personal data is kept in line with the data protection principles.
- Recognise and respond to requests from associates exercising their individual rights under the GDPR.

Personal data audit

UPCA will audit and endeavor to regularly re-audit to ensure that:

- Only personal data needed is recorded and held.
- Personal data held is accurate and not held for longer than required
- Personal data is stored, moved and accessed securely with access limited to authorised staff
- We have consent for data collection, storage and processing

Legal basis for processing personal data

The lawful basis for our processing of data is consent “the individual has given clear consent for you to process their personal data for a *specific purpose*”.

Consent requires us to:

- Keep consent requests prominent and separate from other terms and conditions
- Seek a positive opt-in such as unticked opt-in boxes or similar active opt-in methods
- Use clear, plain language that is easy to understand.
- Specify why we want the data and what we're going to do with it.
- We give separate distinct ('granular') options to consent separately to different purposes and types of processing.
- Specify UPCA and any specific third-party organisations who will rely on this consent.
- Keep records of what an individual has consented to, including what you told them, and when and how they consented.
- Tell individuals they can withdraw consent at any time and how to do this.
- Avoid making consent a precondition of a service.
- Note data cannot be transferred outside the EU without explicit consent.

Data sharing

- We will not publish or share the contact details of our associates with third parties unless it has been clearly outlined to associates in the consent and privacy notice that we will do this.

Recognising rights and subsequent requests

Right to be informed

- Individuals have the right to be informed about the collection and use of their personal data. This is a key transparency requirement under the GDPR.
- We must provide individuals with 'privacy information' including: purposes for processing their personal data, retention periods for that personal data, and who it will be shared with.
- Privacy information will be provided to individuals at the time we collect their personal data from them and otherwise readily available on the website
- If we obtain personal data from other sources, we will provide individuals with privacy information within a reasonable period of obtaining the data and no later than one month.

Right to Access

- Data subjects can seek confirmation on whether or not personal data concerning them is being processed, where and for what purpose.
- On request we must provide a copy of the personal data, free of charge, in an electronic format.

Right to rectification

- Associates can ask for inaccuracies to be corrected and they can object to how their personal data is being handled.

Right to erasure

- Associates can request we erase his/her personal data, which includes ceasing further dissemination of the data, and potentially have third parties halt processing of the data.
- Should also be done if data is no longer being relevant to original purposes for processing.

Right to restrict processing

- Unlikely to be required by UPCA but may need to restrict further processing (by third parties) of the data we hold.

Right to data portability

- Right for data to be used by another organisation at the data subject's request.
- We must provide the personal data in a structured, commonly used and machine-readable format.

Right to object

- We will inform individuals of their right to object "at the point of first communication" and present it separately from other information on rights clearly laid out in your privacy information.
- Individuals have an absolute right to object to any processing (including profiling) undertaken for the purposes of direct marketing.
- We must stop processing for direct marketing as soon as we receive an objection. There are no exemptions or grounds to refuse.

Rights in relation to automated decision making and profiling – Not applicable

The above rights are recognised and UPCA will ensure:

- Where changes are sought by the data subject 'reasonable means' should be sought to verify their identity.
- Appropriate action is taken within one month, apart from the right to object which should be immediate.
- If requests are complex or there are multiple requests we may extend for a further 2 months, but subject will be informed, and notes made on record
- Requests can be verbal or in writing and can be made to any member of the association.

Recognising and reporting data breaches

- We are legally required to inform the ICO if there is a breach of security (including accidental publication) that includes personal data likely to "result in a risk for the rights and freedoms of individuals".
- Reporting must be done within 72 hours of first having become aware of the breach.
- The ICO website provides [guidance](#) on how to recognise, handle and report a data breach.

Data protection fee

UPCA pay annual data protection fees and meet the stipulated criteria.

Further areas

- This information has been disseminated to UPCA council, committees and administrators as part of data protection awareness training.

Other guidance on data protection

- General guidance is available from the [ICO](#), which also has a dedicated [GDPR helpline for small organisations](#)