



Counselling Service – Policy and Procedures

1 Introduction

1.1 The School Counselling Service is designed to complement the strengths of Sackville school's pastoral system by offering additional personal support to students who may benefit from working with a professional counsellor. The Counselling Service will support students as far as possible to make their own choices and decisions regarding counselling, and involving parents in counselling, provided this is consistent with the best interests of the student concerned. The Service recognises that students have the right to confidentiality in counselling, and that this is essential for maintaining trust with the counsellor, but accepts that confidentiality is not absolute and safeguarding all students must always be at the forefront of its work. This policy complies with key legislation (Appendix 1).

1.2 In line with nationally agreed standards for school-based counselling, the school counsellor has an enhanced DBS check, is a qualified counsellor who holds membership with the British Association for Counselling and Psychotherapy (BACP) and is bound by the BACP's Ethical Framework for Good Practice. You can view this in Appendix 2, or from this link: http://www.bacp.co.uk/ethical_framework/

1.3 Definitions and terms used within the policy (see Appendix 3)

2 Aims and objectives

2.1 To ensure involved adults respect the rights and importance of students participating in counselling on a voluntary, informed-consent basis.

2.1.1 **Parental Involvement** . Under the Gillick Competency Principle, young people aged 16 and under have the right to access confidential counselling *without parental knowledge or consent*, provided they are of sufficient intelligence to understand what is being proposed and the potential consequences. Most secondary students are deemed intelligent enough to understand the counselling process. The counsellor and school will complete an assessment, using Fraser guidelines (Appendix 4) to decide if the student is Gillick competent.

2.1.2 If a student is deemed not to be Gillick Competent, written consent from their parent will be required before counselling can begin.

2.1.3 The school counsellor will make every effort to inform and encourage students of the benefits of informing their parent(s) that they are receiving counselling, unless this is detrimental to their safety and wellbeing.

2.1.4 The school counsellor will not generally encourage ongoing contact with parents or attend meetings about their child. Experience tells us that, even in circumstances where students wholeheartedly agree to this contact, the contact tends to diminish students' trust in the counsellor and alter their perception of counselling as 'their space'. It can also lead the counsellor to detract from the student's agenda for counselling.

2.1.5 If parents have concerns about counselling, they may contact the year office.

2.2 Safeguarding and Child Protection This document outlines the procedures to be followed by the counsellor when child protection concerns are brought to their attention, to ensure they protect and promote the safety and welfare of all students and help foster confidence in the integrity of the Counselling Service.

2.2.1 The student is told at the start of their first session that contents of each counselling session remain confidential between the student and school counsellor, unless the student makes a disclosure of child abuse, the counsellor considers that the student (or another individual) is at risk of significant harm, including self-harm and suicidal ideation/suicide attempts. The counsellor is required by law to report suspicions about terrorism, serious drug trafficking and money laundering and may be required to break student confidentiality if a court orders disclosure (see Appendix 5: 7.3 Access to Records). The student will sign a counselling written agreement acknowledging terms where confidentiality may be broken.

2.2.2 A brief confidentiality statement will be displayed in the counselling room.

2.2.3 The school counsellor is not required to pass on information about a student breaking a school rule or committing an offence, unless it could be deemed that by doing so, the counsellor was aiding and abetting a crime e.g. a student dealing drugs in school.

2.2.4 Where there are significant concerns about students (or third parties), the school counsellor will follow procedures laid out in the school's Child Protection Policy, referring concerns to the school's Designated Safeguarding Lead (DSL) and/or Head Teacher. These persons will, in consultation with the counsellor and possibly other relevant staff, make a decision of any further action to be taken.

2.2.5 The school counsellor will make every reasonable attempt to communicate first to the student, their intention to break confidentiality and to discuss the information that needs to be shared. If such conversations cannot take place, the matter should be discussed with the student at the earliest opportunity following referral to the DSL and/or Head Teacher.

2.2.6 The school counsellor may seek specialist advice and guidance on safeguarding/child protection issues from their counselling supervisor.

2.3. Confidentiality – Staff. The well-being of all students is something that we take seriously at Sackville. A student may choose to request the counsellor inform specific staff members (whether pastoral, support, or teaching staff) that they are having a hard time, in order to feel more fully supported. In these instances, no further specific details are discussed with that staff member, without the expressed permission of the student.

3.Communication.

3.1 Key Pastoral stakeholders will sign to confirm they have been made aware of this policy.

3.2 The counselling policy will be put on the school website. For a copy of the complete form, including appendices please make a request in writing at reception.

3.3 Students will be made aware of the counselling provision through notice boards around the school, in the sixth form area, library, on the backs of toilet doors, assemblies, and by staff.

4 Referral Process

4.1 Self-referral by students:

4.1.1 Students may get a referral form from their class teacher or year office and either place it in the drop box outside the counselling room in the tower or give to their teacher to pass to the lead counsellor. They may ask a staff member to help them fill it in, if needed. The counsellor will contact the student to do an initial assessment, to ascertain the support needed. In the eventuality of an influx of requests, the referral will go through a Pastoral Intervention meeting (PIM) to see if there is additional support that can be given in the interim period.

4.2 Referral by Parents

4.2.1 Parents may obtain a referral form from the reception, upon request. It is essential that parents have discussed the referral with their child, who at the very least has agreed to attend a no-obligation introductory/assessment session with the school counsellor. Post or hand referral into reception “for the attention of the year office”, of your child. All referrals go through a Pastoral Intervention Meeting (PIM).

5. So what does counselling look like?

5.1 Counselling takes place either sitting with the counsellor in the counselling room at Sackville School, or by walking on site. 1:1 and group therapy is available.

5.2 The BACP definition is “Counselling takes place when a counsellor sees a client in a private and confidential setting to explore a difficulty the client is having, distress they may have experienced or perhaps their dissatisfaction with life, or loss of a sense of direction and purpose. It is always at the request of the client, as no one can properly be ‘sent’ for counselling. By listening attentively and patiently, the counsellor can begin to perceive the difficulties from the client’s point of view and can help them to see things more clearly, possibly from a different perspective. Counselling is a way of enabling choice or change or of reducing confusion. It does not involve giving advice or directing a client to take a particular course of action. Counsellors do not judge or exploit their clients in any way”. For a full definition see BACP – <https://www.bacp.co.uk/media/2637/bacp-what-is-counselling-psychotherapy-c2.pdf>

5.3 It offers students time and space to talk in order to:

- Develop emotional health and wellbeing
- Overcome barriers to learning and achieve their full potential
- Increase resilience so they are better able to manage personal difficulties
- Develop self-esteem and self-confidence

5.4 **Duration:** The length and frequency of individual sessions can vary, depending on the needs of individual students and Sackville school’s timetabling structure.

5.4.1 Sessions tend to be weekly and last between 30 minutes (half a lesson period) and one hour (One lesson period). Students attending will be given a slip with a date and time of their session, to show staff, if seen in the corridor midway through a lesson.

5.4.2 The number of sessions a student may have can vary from a one-off drop-in session to resolve an immediate concern, to weekly sessions throughout the school year.

5.5 **Review:** Consistent with the principles of the person-centred counselling approach, the school counsellor shall regard review as an ongoing process and encourage students to reflect on whether counselling is meeting the desired outcomes as they go along, as well as when they end.

5.6 **Endings.**

5.6.1 All students have the right to withdraw from counselling at any time and it is the responsibility of all involved adults to make this explicit to them.

5.6.2 Where a student has not attended three consecutive counselling sessions, the counsellor will approach the student to ascertain their wishes and feelings about participation. A decision will be made about the student’s continuing involvement in counselling.

6. For **record keeping** and **data protection** see Appendix 5:6

7. For **Access to records** see Appendix 5:7

Copies of the full policy, including appendices may be requested in writing from reception.

Appendix 1: Legislation and Guidance

The counselling policy and guidelines are shaped by and comply with key pieces of legislation and guidance, which includes, but is not limited to:

- School Child Protection Policy
- Gillick Competence/Fraser Guidelines (1985)
<https://learning.nspcc.org.uk/media/1541/gillick-competency-factsheet.pdf>
- Children Act (1989; 2006)
- United Nations Convention on the Rights of the Child (1989)
- Education Act (2011)
- Green Paper Every Child Matters (2003)
- Data Protection Act (2018)
- Safeguarding Children in Education (2019)
- Working Together to Safeguard Children (2018)
- BACP Ethical Framework for Good Practice in Counselling & Psychotherapy 2018
- BACP 4th Edition Counselling in Schools (2006/2007)

Appendix 2: Summary of Ethical Principles for Counsellors and Psychotherapists

(BACP Ethical Framework for Good Practice in Counselling and Psychotherapy)

Ethical Principle	
Being Trustworthy:	Honouring the trust placed in the practitioner
<u>Examples</u> Act in accordance with the trust placed in them Strive to ensure that clients' expectations are ones that have reasonable prospects of being met Honour their agreements and promises Regard confidentiality as an obligation arising from the client's trust Restrict disclosure of confidential information about clients to furthering the purposes for which it was originally disclosed	
Autonomy:	Respecting the client's right to be self-governing
<u>Examples</u> Ensure accuracy within information given in advance of services offered Seek freely given and adequately informed consent Emphasise the value of voluntary participation in the services being offered Engage in explicit contracting in advance of any commitment by the client Protect privacy; protect confidentiality Normally make any disclosures of confidential information conditional on the consent of the person concerned	
Beneficence:	Commitment to promoting the client's wellbeing
<u>Examples</u> Acting strictly in the best interests of the client based on professional assessment	

Working strictly within ones limits of competence, training and experience
Using regular and ongoing supervision to enhance the quality of services provided
Commitment to updating practice by continuing professional development

An obligation to act in the best interests of a client may become paramount when working with clients whose capacity for autonomy is diminished because of immaturity, lack of understanding, extreme distress, serious disturbance or other significant personal constraints.

Non-maleficence: Commitment to avoiding harm to the client

Examples

Avoiding sexual, financial, emotional or any other form of client exploitation
Avoiding incompetence or malpractice
Not providing services when unfit to do so due to illness or personal circumstances
Strive to mitigate any harm caused to a client even when the harm is unavoidable or unintended
Challenging, where appropriate, the incompetence or malpractice of others

Justice: Fair & impartial treatment of all clients & provision of adequate services

Examples

Being just and fair to all clients and respecting their human rights and dignity
Considering conscientiously any legal requirements and obligations
Remaining alert to potential conflicts between legal requirements and ethical obligations
Appreciation of differences between people and a commitment to equality of opportunity
Strive to ensure fair provision of services, accessible & appropriate to needs of clients

Self-respect: Fostering the practitioner's self-knowledge and care for self

Examples

Appropriately applies all of the above principles as entitlements for self
Includes seeking therapy and other opportunities for personal development as required
Using supervision for personal and professional support and development
Seeking training and other opportunities for continuing professional development

External Supervision

In accordance with the BACP, the school counsellor will attend regular and ongoing supervision, with an appropriately trained counselling professional, who is external to the school, for the purpose of ensuring best practice and accountability.

When discussing issues relating to a particular student during supervision, the counsellor will take great care not to reveal the full name of the student or disclose any information that would enable the student and their family to be identified.

Appendix 3 Definitions and terms used in this policy

Counselling at Sackville School

The school view counselling as a way of helping students to communicate and express their thoughts and feelings, primarily through the process of talking and listening. However, in many instances, the nature of individual students' difficulties will call for the school counsellor to incorporate other therapeutic activities and non-traditional interventions into their practice, in order to support the student's communication and expression of themselves.

Research tells us that it is the quality of the client's relationship with their therapist, rather than the use of any specific technique or approach, that is the greatest predictor of successful therapeutic outcomes. Therefore counselling will encompass a wide range of activities that support and encourage the development of a strong therapeutic alliance.

Parent

The term 'parent' is used as an inclusive term to refer to all adults who take on a parenting role in relation to a particular student, including biological, adoptive, and foster parents; extended family and other professional care-givers such as staff from group homes.

Informed Consent

The term 'informed consent', as it applies to school counselling, can be defined as the voluntary agreement of a student to participate in counselling, or the voluntary agreement of their parent for the counselling to take place, based on these persons having adequate knowledge and understanding of the counselling process, including confidentiality.

Confidentiality

Confidentiality may be defined as "when a person(s) receives information, that information is kept private and not shared or disclosed without the consent of the person(s) they received it from. This policy covers not only information given deliberately by the person concerned, or by other people about the person, but also information acquired accidentally or through observation.

Appendix 4: Assessing competence to consent by children and young people

The following guidance is based on the Fraser Guidelines and adapted for application to counselling.

Factors to consider	Checklist for questions
<u>Immediate issues</u>	
Child's age: Gillick test:	How old is the child or young person? Does the child or young person understand the counselling? Are they refusing to allow their parents to be involved? Do their best interests require that the counselling be given without parental consent?
<u>Short-term issues</u>	
Nature of contact: Support systems: Nature of immediate issue or problem: Child protection responsibilities:	Is the contact with the counsellor controlled entirely by the child or young person? What support does the child or young person have access to alongside or in the place of counselling or therapy, should contact be broken or withdrawn? What is the degree of risk, if any, posed by the child to him or herself or to others (e.g. drugs, abuse, suicide, arson?) Is the risk significant, immediate or longer term? Is the counsellor required by their conditions of employment, or agency policy, to report all suspected child abuse to social services?
<u>Longer-term issues:</u>	
Stage of cognitive and emotional development:	Does the child or young person understand the nature of the issue or problem? Their own needs and the needs of others? The risks and benefits of counselling or therapy? Does the child or young person have a sense of their own identity? A sense of time, past, present and future? Source: Jenkins, 1997: 216-7 (abbreviated version)

Appendix 5.

6. Record Keeping and Data Protection

6.1 Sackville School Counselling Service keeps written records about students in counselling. The notes are minimal, factual notes, do not contain your name or identifying information. Counselling records include material such as reasons for referral to counselling, number of sessions attended, and an account of the topic discussed in each session (a brief sentence to reveal the core issue). They may also include reports of safeguarding issues. Notes on sessions are brought to (external) supervision.

6.2 Under GDPR regulations: Data protection principles: Information is:

- used fairly, lawfully and transparently
- used for specified, explicit purposes
- used in a way that is adequate, relevant and limited to only what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary
- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage

6.3 The school counsellor is responsible for ensuring that they record any child protection concerns which emerge during the course of a student's counselling. Records must clearly document all discussions with the student and third parties regarding the concerns, together with the key decisions reached during these conversations, actions to be taken and outcomes.

6.4 Counselling records are not held in the school central system but in a locked cabinet in the counselling room, which is only accessible to the counsellor. Contact details are stored separately from case notes.

6.5 Counselling records are retained for a period which is informed by current DPA legislation and good practice within the education sector.

7. Access to records

7.1 Students Under the Data Protection Act (2018), Sackville students who access the Counselling Service have the right to see information recorded about them by the school counsellor. The only exception is if a disclosure of information would be likely to cause serious harm to the student. Students cannot see information which is considered third party, or records concerning another person, unless that person has agreed. Where students wish to see their file, they should ask the counsellor and the counsellor should be present to explain what the file contains and the reasons why.

7.2 Parents

7.2.1 According to guidance from the Information Commissioner, under data protection law, parents have an independent right of access to education records, despite objections by the child, and school counselling records *could* be classified as such.

7.2.2 This could potentially lead to a situation of a parent seeking access against the student's wishes and presumably, those of the counsellor. In this instance, Sackville School would use Schedule 2, Section 4(3) 6(1) of the DPA 1998, on the grounds that any such processing or disclosure is "unwarranted in any particular case by reason of prejudice to the rights and freedom of legitimate interests of the data subject" (i.e. the student concerned).

7.2.3 Where a parent requests to gain access to their child's counselling records, they should make these in writing to the Head Teacher, briefly stating their reasons. A request for access needs to be dealt with within 15 days.

7.2.4 Information that may become evidence in a joint investigation by Police and Children's Services into alleged child abuse is an exception to the principle of open access.

7.3 Court

7.3.1 In the event of any court case involving a student, the Judge has power to subpoena counselling notes, or request that a counselling report is provided as evidence for the case.

7.3.2 Sackville school is under a duty to assert public interest immunity in respect of counselling records, so any party to court proceedings should name the Chair of Governors in a witness summons.

7.3.3 Where the court orders disclosure of counselling records, the school should contact their legal representative immediately who should communicate directly with the Judge about what is in the best interests of the young person before a court hearing. Advice from the Local Education Authority may help limit the disclosure of confidential counselling material that is not relevant to the court proceedings.

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