Privacy Legislation at both State and federal levels protects personal information collected and held by health agencies. This legislation applies to CAPS. All counsellors who work at CAPS offered at UNSW Sydney are registered psychologists or are intern psychologists with provisional registration. Counsellors working with CAPS may also have training as a Social Worker with expertise and experience in counselling. The counsellor at CAPS UNSW Canberra ADFA is also counsellor with qualifications in psychology.

All psychologists are required to be registered with the Australian Health Practitioners Regulation Agency: [http://www.ahpra.gov.au/](http://www.ahpra.gov.au/).

Psychologists and social workers offering counselling and psychotherapy are required to maintain notes of their counselling sessions and treatment plans. Within this service we may also log and record enquiries for information or support that come to us by phone or email.

The counsellors at CAPS work collaboratively as a team. This means if you are seeking support or documentation and your counsellor is unavailable another counsellor might be able to provide support and assistance.

Any information provided during counselling sessions is securely stored for a period of 7-10 years from the date of last contact with the service. After this time the information is disposed of using a protocol that ensures confidentiality and is in keeping with required State Government and UNSW record disposal schedules. Any individual who has used CAPS is able to request access to their personal records. The State Health Records Act and Freedom of Information Legislation govern this access to records.

**Keeping your information correct**

We like to keep your details current so please notify us if you have a change of personal contact information. Our records are not linked to UNSW student records so changes of your personal details provided to UNSW are not updated on to CAPS records. You will need to notify CAPS separately of these changes.

**Release of personal information**

CAPS may only release information to a third party external to CAPS under certain circumstances. These circumstances include:

- Initiated by the client (YOU)

You can ask/direct your counsellor or give permission to CAPS staff to disclose information to a third party or parties on your behalf. This direction is usually in the form of a written statement signed by you.

- Legal requirement to provided confidential personal information

Occasionally a legal subpoena for specific documents to be produced or for a specific counsellor to appear before the State or Federal Court.

Sometimes an over-riding legal requirement will lead to a carefully considered release of information that would normally fall into the category of personal confidential information. These circumstances would normally involve: statutory
obligations, illegal or criminal activities or the prevention of harm to others, including children.

For example: when the client’s behaviour is considered, by the UNSW counsellor and/or their direct supervisor (the Director CAPS or Senior Counsellor), to be a danger to themselves or others a considered action based on a professional duty of care will be taken with the purpose of protection and keeping safe those that are considered to be ‘at risk’.

- Child/children at risk

Counsellors are also required to notify the relevant authorities if they are made aware of any child or children at risk of harm.

- Release of personal information for other purposes (e.g. discontinuation from a course or special consideration)

To release information about you on your behalf we normally require a written request. There is a special form for this purpose that your counsellor will ask you to complete and sign.

An email request may be adequate especially if you have made such an arrangement with your counsellor.

Counselling Privacy and Record Keeping
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https://student.unsw.edu.au/counselling-privacy