

# UCFB|GIS Confidentiality – Student Wellbeing Guidance Statement \*

## Student Version

Principles	3
Record Keeping	3
Counselling Practice –Supervision	4

## Staff Version

Introduction	5
General Principles - Requirement for confidentiality	5
Seeking Consent	6
Wellbeing Discussions	7
Request from a third party including family members	7
Contact by UCFB/GIS with a third party including family members	

## STUDENT VERSION

### Confidentiality –Student Wellbeing Guidance Statement

#### 1. Principles

##### 1.1

We keep records for the following purposes:

- Contact details -

## STAFF VERSION

### Confidentiality – Student Wellbeing Guidance Statement

#### 1. Introduction

- 1.1. This guidance applies across UCFB/GIS including distance and distance (with attendance) programmes. Students overseas or out-of-residence may not be able to access the full range of welfare services referred to in this guidance, but the general principles will still apply.
- 1.2. The guidance is intended for all staff at UCFB/GIS who are involved in supporting students with their health and wellbeing needs where confidentiality might be an issue. It is designed to promote consistency in the way individual cases are handled.
- 1.3. For the purposes of this guidance, references to "Health" covers both physical and mental health; and "Academic Team" means 'Academic Programme, Course or Module Leaders and any academic member of staff that a student chooses to share personal information about themselves'.
- 1.4. Staff are required to familiarise themselves with this guidance as part of their induction or ongoing training in welfare matters. Guidance on any issue can be sought from the Student Support team.

#### 2. General Principles - Requirement for confidentiality

- 2.1. All members of UCFB/GIS staff involved in any matter relating to the health,

2.5. Most UCFB/GIS students are adults (ie. Over 18) and the confidentiality of their data must be maintained and their information must not be shared without their consent.

2.6. Those advising students must consider at the outset of a discussion to clarify whether this content is confidential and the extent of any confidentiality which applies to any disclosures. When discussing confidentiality with students, the following should be made clear:

- Confidentiality will be respected, wherever possible;
- Consent will be sought, wherever possible, to any onwards disclosure of information;
- There are limited circumstances in which information might be shared with a third party, e.g. taking account of the vital interests of others, or where an individual lacks capacity to give consent.

2.7 Students should normally be advised to disclose relevant personal

information to others where this benefits them.

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may not always be sure whether they should disclose this information or not. In these circumstances you must seek advice from a member of the Student Support Management Team or Director of Student and Academic Services. This consultation should be done without divulging the name of the student concerned.

#### 4. Wellbeing Discussions

4.1 Those advising students should not normally give absolute assurances of confidentiality to those who may wish to talk about wellbeing-related matters.

4.2. In some circumstances, it may be helpful for members of UCFB/GIS support services to talk to other professionals in relation to a student's difficulties; the individual's consent to do so should be sought.

- If consent is not forthcoming, it may still be helpful to seek general advice from a health professional or counsellor without identifying the student concerned.
- In exceptional circumstances external health professionals, Disability Advisors or Counsellors may wish to speak to a member of the UCFB/GIS Student Support or Academic Team about a student. If the student is unwilling to consent, confidentiality will be respected unless there is an exemption under the relevant professional legal guidelines.

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5.4 In cases where a third party discloses information about a student who is at risk of serious harm, UCFB/GIS staff must act upon this information. Staff must communicate to the third party that it will not be possible to guarantee their anonymity.

## 6. Contact by UCFB/GIS with a third party, including family members

6.1. Normally, UCFB/GIS will only contact a third party or family member about a student where the student has first given written prior consent.

6.2 No member of staff may contact a third party or family member where consent has not been obtained from a student unless authorised by the Director of Student and Academic Services or member of Executive Leadership Team.

6.3. Exceptional circumstances where contact with a third party or family member without the consent of a student may be justified include:

- The student is physically incapacitated (e.g. unconscious due to serious accident)
- The student has been medically assessed under the Mental Capacity Act as lacking capacity to make the decision. Any issue of mental capacity can only be determined by an appropriate medical practitioner,

As a general rule, where a student presents a risk to self (e.g. self-harm) but mental capacity is assumed to be intact, any decision by the student that family members should not be contacted must be respected. Where it is suspected that the student may be under exceptional pressure(s) and presents a risk to self, it may be considered appropriate to contact the given Emergency contact.

## 7. Requests from the Police

7.1 There may be times when UCFB/GIS are contacted by the Police for information about a student.

7.2 UCFB/GIS do not respond to requests for information from parents, guardians or other third parties (unless covered by a Data Protection exemption e.g. from the Police). Unless the student has given explicit permission in advance we will refuse such requests. However, there may be circumstances where the law requires disclosure for the prevention and detection of terrorism or where non-disclosure is likely to prejudice the prevention or detection of crime.

7.3 All Police requests must be referred to the Student Support Management Team and/or Director of Student and Academic Services for advice as soon



## 8. Students on courses accredited by professional bodies

- 8.1 Special considerations apply to students on courses leading to qualifications for professions as these may be governed by additional codes of conduct and fitness to practice procedures which are intended to protect the public.
- 8.2 Those advising students with concerns about the health or behaviour of a student on one of these courses and the requirements for a professional body should seek advice from the Student Support Management Team.
- 8.3 Specific advice on the requirements of the professional body concerned may be sought from the relevant Course Leader without divulging the name of the student. The professional body may also be approached for generic guidance on its requirements.
- 8.4 If it appears to the Student Support Management Team that the health or behaviour of a student may be in breach of a code of conduct and/or fitness to practice procedure of a professional body, the Head of Student Support must refer the case to the Director of Student and Academic Services for consideration of appropriate next steps to take.

## 9. Behavioural and emotional concerns

- 9.1 Where a student's behaviour is considered to pose a risk to themselves, concerns should be reported immediately to the Student Support Team, who will discuss these concerns directly with the student and follow all appropriate processes including record keeping.
- 9.2 In a situation where it is clear that the student is in imminent and serious danger, the emergency services should be contacted. Where possible, the advice of the Student Support Management Team or Director of Student and Academic Services should also be obtained.
- 9.3. Where a student's behaviour is reasonably considered to pose a risk to others, those advising the student should consider if the vital interests of others are affected. Where possible, the advice of the Student Support Management Team or Director of Student and Academic Services should be obtained.
- 9.4 If a student is causing considerable concern or disruption (but is not considered to pose a risk to other members of the UCFB/GIS Community or to themselves), and they are unwilling to consult medical professionals, a Student Support Advisor may well be able to achieve a satisfactory solution. The advice of the Student Support Management Team should be obtained so that a consistent approach for similar cases is maintained.

## 10.

share sensitive personal data is in accordance with the provisions of relevant UCFB/GIS policy and guidance, unless superseded by statutory legislation.

## 11. Professional and operational obligations

### 11.1 All Student Counselling Services