



## Confidentiality Statement

**The College cannot promise to maintain absolute confidentiality because, if students or other individuals are in danger, further help may need to be sought. Nonetheless, confidentiality will normally be maintained within the College Welfare Team on a strictly need-to-know basis.**

### **College Welfare Team**

The College Welfare Team consists of the Senior Tutor, the Tutors, the Tutorial Office Staff, the College Nurse, the College Counsellors, the College Dean, and the Head Porter. Directors of the College Welfare Team rather than absolutely confidential. A Tutor may need to share student information with other members of the College Welfare Team. However, even within the College Welfare Team this would only be on a strictly need-to-know basis.

Disclosure to any party or parties external to the College Welfare Team (eg the wider College and Collegiate University, including Faculties and Departments, the University Counselling Service, the Disability Resource Centre, the Police, or other government agencies etc) would normally only be made where

- (i) the student has explicitly consented or
- (ii) there is clear risk of imminent and serious harm to that student or to others in which a duty of care outweighs the duty of confidentiality; or

- (iii) there is a legal obligation to do so.

### **Duty of care, and imminent and serious risk of harm**

Tutors and Tutorial Office Staff may owe a duty of care to a student or other that cannot be discharged unless the College takes action on information provided to it by a student in confidence.

A duty of care would normally override any obligations regarding confidentiality where there is an **imminent and serious risk of harm** to the individual or to others. This will include consideration of whether the risk of harm is actual or probable (not just 'possible'), and when that harm would have a **substantial and significant** detrimental effect on the individual's or another's physical, psychological or emotional wellbeing.

### **Consent to disclose**

It is considered best practice if reasonable and practicable, to seek the student's consent to share information about them with another party before doing so, even if a breach of confidentiality without consent is justified. A record of any disclosures and consent will be made together with any withholding of disclosure to family members.

### **Relevant professional guidelines on confidentiality**

It is important to note that certain health and welfare professionals will be bound by particular confidentiality obligations imposed by their regulating body or institution and whilst it may be justifiable for the College Welfare Team to share information with them in their professional capacity to support the resolution of a student issue, they may not be able to reciprocate in the sharing of information owing to professional limitations. Professionals may include GPs and Nurses, the University Counselling Service, Chaplains and the Students' Unions' Advice Service.

### **Disclosure to a law enforcement agency as part of an investigation**

The College may disclose information, without a student's consent, if the Police or other government agencies request data for law enforcement purposes, such as the Department for Work and Pensions, local authorities, HM Customs and Revenue, and the Border and Immigration Agency where it would either

- (i) risk national security, or
- (ii) undermine the purposes of the disclosure

**Disclosure in a crisis**

Where a student or others are in serious and/or imminent danger, the emergency services will be contacted without hesitation. Where the issue relates to mental health crisis and there is time to consider action, confidential advice may be sought from a UCS Mental Health Advisor (during office hours) or the NHS Mental Health First Response Team. .8(en)2(.wj 0.002 Tc -c -0.002 Tw [(Men) Td ( )Tj -0.009 Tc 0.009]]T

constitute a criminal offence. Any consent should identify the persons to whom information may be disclosed with as much detail as possible.

### **PREVENT Statutory Duty**

The Collegiate University has a legal responsibility in relation to the Counter Terrorism and Security Act 2015 and the Prevent Statutory Duty. If the College has a significant concern that a student may be particularly susceptible to radicalisation, in rare circumstances a decision may be taken to share this information and the details of the student in order to ensure that the individual concerned is supported appropriately. Wherever possible, the consent of the student concerned will be obtained in advance of any referral for support. If the College identifies a student who is already engaged in illegal terrorist related activity any such individuals may be referred directly to the