

# Confidentiality Policy

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## Document Version Control

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The Confidentiality Policy will be reviewed regularly by our Senior Management Team (SMT) in line with our Policy Review Schedule. A review may also be triggered because of changes in the legislative requirements. Any amendments require the approval of our Board of Directors.

## 1. Introduction

We provide a focal point for a range of student support, information, guidance and development services beyond our remit as an academic institution.

This policy outlines the responsibilities and practices in respect of information relating to both applicants and students who are registered with Bloomsbury Institute. It explains our policy with regard to their confidentiality based upon the Data Protection Act 2018 which provides the legal framework for the UK General Data Protection Regulation (UK GDPR)

This policy should be read in conjunction with our [Data Protection Policy](#) and [Privacy Notice](#)<sup>1</sup>.

## 2. Confidentiality

With regards to electronic and manual records and the provision of advice and counselling, all applicants and students have a right to expect that information received and recorded by Bloomsbury Institute is treated in absolute confidence, with sensitivity, care and discretion. It may be necessary in some cases for members of staff to discuss aspects of their enquiries or circumstances with their immediate colleagues or, where relevant, with senior management, academic staff or with relevant third parties including (but not limited to) regulatory agencies/bodies such as the Office for Students (OfS), UK Visas and Immigration (UKVI), the Student Loans Company (SLC), or collaborating partners of the institute, such as our awarding body. If such discussions take place, it will usually be for the sole purpose of seeking information, confirming the best course of action, or helping the member of staff to reflect on their work with students. Whenever possible, any such discussions will take place without personally identifying applicants or students, except in cases where identification is required when communicating with some third parties e.g. awarding body. All such conversations will be respectful and will not trivialise issues.

Information is only used for the purposes for which it was provided and staff will not pass on personal information about applicants or students to anyone outside Bloomsbury Institute (this includes relatives or friends of applicants or students, or external agencies) without the applicant's or student's express written permission, subject to the following exceptions:

- Where there is a legal obligation, for example to release information to the Police, a court of law, the Student Loans Company (SLC), the UK Visas and Immigration (UKVI) or other law enforcement agencies. A written request made under the Data Protection Act 2018 will normally be required before this information is released.
- If the applicant or student is under 18 years of age and Bloomsbury Institute has serious concerns about their welfare.
- If Bloomsbury Institute has significant concerns that the applicant or student presents a risk of harm to self or to others.
- For statistical data, for example data that cannot be used to identify any individuals, could be shared anonymously across the Institute to help spot trends and plan services.

## 3. Liaison and correspondence

In order for staff to respond effectively to an applicant or student's enquiry or concerns, or the concerns of staff members regarding an applicant or student, it may be appropriate to contact a third party on the applicant or student's behalf. In cases where this is considered to be necessary, the applicant or student's written permission will be sought. If they do not give written permission, other than in the exceptional circumstances outlined in **Section 2** above, staff will not initiate discussion or correspondence with others in any way that allows the applicant or student to be identified. If the

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<sup>1</sup> Both documents are available from <https://www.bil.ac.uk/qem/policies/>

applicant or student does give permission, the nature of the contact will be agreed with them in advance.

In the event that staff receive a request for information about an applicant or student from a third party, including friends and relatives, they will not provide such information without the applicant or student's permission except in cases of genuine emergency or in the exceptional circumstances outlined in **Section 2** above. In such cases, the nature and degree of information to be provided will be agreed in advance with the Data Protection Officer. If staff are unsure to whom they can legitimately disclose personal data, they should seek advice from the Data Protection Officer at [dpo@bil.ac.uk](mailto:dpo@bil.ac.uk).

## 4. Compliance

We will ensure that the processes and policies we have in place for the processing of confidential information and provision of advice complies with relevant legislation, ethical standards and codes of practice.

Under data protection legislation particular care needs to be taken with the processing of sensitive information. We have an approved [Data Protection Policy](#)<sup>2</sup> and [Privacy Notice](#)<sup>3</sup> which provides statements on the appropriate use of data and compliance with the Data Protection Act 2018 and the UK GDPR. Sensitive information including information about a student's health, disabilities, race or ethnic origin is held by us for our own reporting purposes. Specific guidelines on the use and retention of data are included within the Data Protection Policy, Privacy Notice and [Records Management Policy](#)<sup>4</sup>.

## 5. Keeping contact information up-to-date

Bloomsbury Institute keeps records of students' contact details. Students are required to keep their contact details up-to-date however, we will also contact students from time to time to update their contact details with us.

## 6. Students with a disability, long-term medical condition, or specific learning difficulty

If a student has declared a disability, long-term medical condition or specific learning difficulty, we are legally required under the UK's Equality Act 2010 to make appropriate and reasonable adjustments in order to help students to participate to the fullest extent possible in the educational opportunities provided by Bloomsbury Institute. Information requested from a student about their disability, medical condition or specific learning difficulty will be limited to that which is necessary to ensure that appropriate adjustments can be made to help the student gain maximum benefit from their study.

Any information will normally only be passed to relevant third parties with the student's agreement. Prior to disclosure of any information the student will be asked to sign a consent form to share their information. If the student does not give permission, this may seriously limit the scope and nature of any adjustments that Bloomsbury Institute can make on behalf of the student.

For further information, contact the Disability Office<sup>5</sup> for a copy of the [Disability Office – What we do with your data](#)<sup>6</sup>.

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<sup>2</sup> <https://www.bil.ac.uk/qem/policies/>

<sup>3</sup> <https://www.bil.ac.uk/qem/policies/>

<sup>4</sup> <https://www.bil.ac.uk/qem/policies/>

<sup>5</sup> [disability@bil.ac.uk](mailto:disability@bil.ac.uk)

<sup>6</sup> <https://www.bil.ac.uk/student-portal/student-forms/>

## 7. Record-keeping, statistics and data protection

We record key information (for example name, course, contact details, and other biographical information) for administrative purposes. This information may be held on paper and/or electronically and is used to process applications for admission and visa compliance purposes, make appointments and to produce anonymised statistical information about the use of our services. It is also used to ensure we deliver a high-quality student experience, both academically and on a personal level.

We may be required to provide statistics to relevant third parties (e.g., to provide data on graduate career destinations). In all cases any data provided is anonymised and individual students cannot be identified from the published data.

Academic records containing profiles of module and programme results including course work, work experience and practice outcomes will be shared among relevant academic and administrative staff and awarding body for the purpose of examination Board approval of marks and awards.

Final award decisions are considered to be in the public domain. Such awards are published within the graduation awards book. Students may, however, opt for confidentiality and request that their final award outcomes are not published in any form at any time. All students should therefore be given an opportunity to request that such information is withheld, and we will in such circumstances ensure that final award information is not publicly displayed or published.

## 8. Personal records

During meetings with our staff, applicants or students may provide information of a personal and sensitive nature (e.g. concerning their finances, disability, health and wellbeing, family circumstances or other difficulties). A record of the discussion may be kept by us to ensure that the appropriate advice or response is provided, particularly at any subsequent visit. These notes may record the key points or issues raised, the advice or information given to the applicant or student, relevant background information, any action taken and details of any follow-up action to be taken. Points of concern may also be noted. Sometimes additional correspondence or copies of documents which an applicant or student provides may be attached to these notes.

If the applicant or student is using a service that regularly keeps notes, they will be informed at the start of their consultation. In some cases, in order to ensure that the applicant or student's concerns or issues can be dealt with, it may be necessary for staff to discuss their case with and pass information on to other colleagues within the Institute, academic partners, or to other relevant third parties. The applicant or student will be asked to agree in writing to any notes being kept and to information being passed on.

If the applicant or student does not wish any information to be recorded or passed on, this wish will be respected as much as possible (other than in the exceptional circumstances outlined in **Section 2** above). In such cases our ability to advise and assist the applicant or student may be limited and this will be explained to them.

## 9. Access to student notes

Applicants and students have a right of access to any notes held on them by Bloomsbury Institute. If notes contain references to other individuals, these references will be removed from the notes, as protection is also granted to third parties. If notes include letters and other information from a third party (for example from a relative, friend or doctor), consent from that party must be obtained before the information can be disclosed.

If the applicant or student wishes to access their notes, the request must be made to the Data Protection Officer<sup>7</sup>, as appropriate. We will attempt to meet the applicant or student's request as quickly as possible, and usually within one month of the request being made. When the applicant or student is

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<sup>7</sup> dpo@bil.ac.uk

granted access to their notes, they will be offered the opportunity to discuss the contents of any information kept about them with the relevant member(s) of staff.

## 10. Security of student notes and information

Notes containing personal information about applicants or students are kept securely locked or are stored as secure computer records with restricted staff access.

We will destroy (securely) or erase notes and information from our systems when there is no longer a legal, business or operational requirement for us to retain them, taking into account the purposes for which we originally requested them. We will not retain personal data "just in case" we think it might prove useful at some future date. Our Data Protection Officer will advise on periodic reviews based on the retention schedule within our Records Management Policy.

## 11. Further information and complaints

If an applicant or student has any concerns about data protection or confidentiality matters, these should be raised with the Data Protection Officer.

If an applicant has a complaint about how information related to their application has been handled, the applicant can make a complaint under our [Admissions Policy](#)<sup>8</sup>.

If a student has any complaint about how information has been provided or disclosed, or how it has been used, the student can make a complaint under our [Student Complaints Policy and Procedures](#)<sup>9</sup>

## 12. Related regulations, policies and procedures

### External

- Data Protection Act 2018
- Equality Act 2010
- UK GDPR

### Internal

- Data Protection Policy
- Consent to Share Information Form (for use by the Disability Office)
- Disability Office – What we do with your data
- Privacy Notice
- Records Management Policy
- Student Complaints Policy and Procedures

## 13. Review of Confidentiality Policy

This Confidentiality Policy will be reviewed regularly by our Senior Management Team (SMT) in line with our policy review schedule. A review may also be carried out if there are changes to any legislative requirements. Any amendments will be subject to approval by the Board of Directors.

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<sup>8</sup> <https://www.bil.ac.uk/qem/policies/>

<sup>9</sup> <https://www.bil.ac.uk/qem/policies/>