

Confidentiality Policy

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This Confidentiality Policy will be reviewed annually by our Senior Management and Leadership Team. 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.

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 students who are registered with Bloomsbury Institute. It explains our policy with regard to confidentiality for students and staff based upon the Data Protection Act 2018 which provides the legal framework for the General Data Protection Regulation ((EU) 2016/679) (“GDPR”).

This policy should be read in conjunction with our Data Protection Policy.

2. Confidentiality

With regards to electronic records, manual records and the provision of advice and counselling, all students have a right to expect that information received and recorded by Bloomsbury Institute to be treated in absolute confidence, with sensitivity, care and discretion. However, members of staff may discuss aspects of a student’s enquiry or circumstances with their immediate colleagues or in a few cases where relevant, with senior management and academic staff. 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 the student. Whenever possible, any such discussion will take place without personally identifying the student. 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 students to anyone outside Bloomsbury Institute (this includes relatives, friends or external agencies) without the 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 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 student is under 18 years of age and Bloomsbury Institute has serious concerns about the student’s welfare.
- If Bloomsbury Institute has significant concerns that the 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 Institution to help spot trends and plan services.

3. Liaison and correspondence

In order for staff to respond effectively to a student’s enquiry or concerns or the concerns of staff members regarding a student, it may be appropriate for staff to contact a third party on the student’s behalf. In cases where staff consider that this is necessary, they will seek the student’s written permission. If the student does 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 student to be identified. If the student does give permission, the nature of the contact will be agreed with the student in advance.

In the event that staff receive a request for information about a student from a third party, including friends and relatives, they will not provide such information without the 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 Academic Registrar. If staff are unsure to whom they can legitimately disclose personal data, they can seek advice from the Data Protection Officer.

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. Specifically, that the information held about students is managed in compliance with the legal obligations, including adherence to the Data Protection Act 2018 and the Human Rights Act 1998.

Under data protection legislation particular care needs to be taken concerning the processing of sensitive information. We have an approved data protection policy which provides statements on the appropriate use of data and compliance with the Data Protection Act 2018. Sensitive information including information about a student's health, disabilities, race or ethnic origin is held by us in circumstances where we have a duty of care. Specific guidelines on the use and retention of data are included within the Data Protection Policy.

5. Keeping contact information up-to-date

Bloomsbury Institute keeps records of student contact details. Students are required to keep their contact details up-to-date.

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 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 others with the student's agreement. Prior to disclosure of any information the student will be asked to sign a consent to share form. 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 and Wellbeing Advisor for a copy of the *Disability Office – What do we do with your data*.

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 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 outside agencies (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 for the purpose of examination committee 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, students may provide information of a personal and sensitive nature (e.g. concerning the student's 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 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 a student provides may be attached to these notes.

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

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

9. Access to student notes

Students have a right of access to their notes held by Bloomsbury Institute. If notes contain references to other individuals, these references may have to 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 doctor), consent from that party must be obtained before the information can be disclosed.

If a student wishes to access their notes, the request must be made to the Data Protection Officer¹, as appropriate. We will attempt to meet the student's request as quickly as possible. When a student is granted access to their notes, the student will be offered the opportunity to discuss the contents of any information kept about them with the relevant member of staff.

10. Security of student notes and information

Notes containing personal information about 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 our data retention schedule.

11. Further Information and complaints

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

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.

¹ dpo@bil.ac.uk

12. Related regulations, policies and procedures

External

- Data Protection Act 2018
- Equality Act 2010
- General Data Protection Regulation ((EU) 2016/679) (“GDPR”)

Internal

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

13. Review of Confidentiality Policy

This Confidentiality Policy will be reviewed annually by our Senior Management and Leadership Team (SMLT). 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.