



CONFIDENTIALITY POLICY

BY LAW of

CHESTER STUDENTS' UNION

Passed at Trustee Board on 30/10/17

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Chester Students' Union's Advice and Representation Centre

This policy covers the Union's Advice and Representation Centre (ARC), but also encompasses any situation whereby any member of Union staff may discuss personal information with a student who does not wish for this to be disclosed to a third party.

This policy is to be read in conjunction with the Closed Case and File Destruction policies, as well as in line with Chester Students' Union's Articles of Association and associated policies.

Confidentiality Statement

Chester Students' Union (CSU) understands confidentiality to mean that no information provided to us by a service user should be shared directly or indirectly with a third party external to the elected officers, staff or Chief Executive Officer in a manner which provides details on the service user leading to identification, without that service user's prior written consent to disclose such information.

The Union recognises that any student of the University should be able to approach us for advice or representation, confident that their information will not be shared externally in any manner with a third party. The service acknowledges that information could be indirectly given out through informal conversations, and therefore Students' Union officers and staff should ensure that no discussions relating to students should take place in any area, either inside or outside the Students' Union buildings, where a student's identity may be revealed to a third party external to those named above.

We are committed to providing a fully trained, confidential, professional advice service, where any student in need of advice feels able to contact the team. We will commit to providing a confidential interview space within the Union, and will ensure the safe storage of all records pertaining to the advice given.

The Students' Union will not confirm details of any use of the Advice Centre's services to a third party, without first obtaining the Student's written consent.

CSU will:

- Ensure nothing is shared outside of the ARC team without a student's prior written consent, and that all contact with an Advisor is recorded securely.
- Ensure all employees, volunteers and students are aware of this policy and are encouraged to support its objectives
- Ensure any breaches of confidentiality (whether consenting or otherwise) are recorded accurately, and the service user is kept fully informed of the process where practicable.
- Follow the steps outlined in the File Destruction policy to destroy all outdated case notes after the period defined thus.

Statistical Recording

The Students' Union is committed to effectively monitoring and reporting on the take-up of services within the Advice and Representation Centre. In the case of reports being created to pass on internally or to third parties, the advice team will take great care to ensure no personal or identifying information is used which could be detrimental to keeping the anonymity of an individual service user.

Case Records

It is the responsibility of the Advice team to ensure that all paper-based case records are locked away at the end of the night. This includes any meeting notes, jotted information or printed documents provided pertaining to student casework. All case information should be locked in the Advice and Representation Centre office, and once it has been uploaded to the online database, should be shredded and disposed of correctly.

It is also their responsibility to ensure that any access to confidential documents online (via the database, email accounts or shared drive), are restricted solely to those who require access to them; namely, the ARC advisor team and the Chief Executive Officer. This should be guaranteed through the locking of computers when not in use, and the logging out of services when not required. Each advisor has personal access to these, and passwords should not be given out to those outside of the Advice service.

For further information on the storage and disposal of case records, please refer to the Closed Case and File Destruction Policies.

Exceptions

An ARC advisor can only talk to a third party individual regarding a current or closed case with the express permission of the student(s) involved.

The exceptions to this are:

- In the case of students who are known to be suspended from or banned from being on the campus, the ARC team has an obligation to communicate to the University of Chester's security team that the student will be on the campus for a meeting. The Advisor should not share more details other than the students' name or student number, the location and times of the meeting. The Union and ARC team accept no responsibility for anything that occurs on campus outside of the student's designated appointment slot, or during the slot if the student has left the office early.
- If the Advisor has concerns exceeding the norm regarding the students' health or wellbeing, they may contact the Student Futures team (usually Counselling or Disability Support) with the express written permission of the Chief Executive Officer or their acting representative. If a conversation does take place, this will be confidential and limited within the Advisor and the Departmental individual contacted. The Advisor will ensure case notes reflect the individual contacted, and any further breach of confidentiality will be the responsibility of the Department involved.
- Where the advice service is requested to show examples of case notes to external auditing bodies. These auditing bodies may view a cross-section of case notes from our advice team for auditing purposes. The external auditors would have no prior connections to the student body, thus limiting any chance of associating the notes with a service user, and would not remove any case notes from the building in paper or digital form.
- Where the CSU team is bound by law to report information, for example under the direction of (but not limited to) the Children's Act, Female Genital Mutilation Act, or the Prevention of Terrorism Act.

The breach of confidentiality must be recorded with the following information provided:

- i. Name of the student and brief outline of the situation, specifying the reason that confidentiality is being breached
- ii. Who has been asked for advice before making this decision (usually the chief Executive Officer or their representative)
- iii. What would be achieved by breaching confidentiality
- iv. To whom confidentiality has been breached.

Training, Development and Supervision of Staff

To ensure all staff at the Union are aware of and abide by this policy, the Chief Executive Officer has a duty to communicate to all staff (whether in paid or voluntary roles) a copy of the Confidentiality Policy, and to ensure that its contents are understood.

All staff will receive a full briefing on the contents of the policy, their rights and responsibilities in relation to it, and support to help them understand and implement it. A copy of the policy will be provided to all staff to sign and agree to its adherence; copies of these will be kept in the Chester Student Union's office.

Breaches of Confidentiality

If a member of the CSU team is found to have breached confidentiality, other than due to the exceptions listed above, this will be constituted as unacceptable behaviour and will be dealt with under the Union's Disciplinary process.

If any member is aware of a breach of confidentiality, they have a duty to report this to the Chief Executive Officer to be investigated. Any incident will be treated seriously and dealt with fairly.

If CSU receives any complaint of unacceptable behaviour in breach of this policy by a member of the CSU team, it will be investigated thoroughly and will take action where appropriate. The complainant will be communicated with in accordance with the CSU Complaints Procedure and informed of the outcome.

Legislative Framework

The Students' Union will monitor this policy to ensure it meets statutory and legal requirements including the Data Protection Act, Children's Act, Female Genital Mutilation act, Rehabilitation of Offenders Act and Prevention of Terrorism Act.

Changes to the Policy

Any changes to this policy may be made by the Advice and Representation team, the Student Union's Chief Executive Officer or Board of Trustees, and must be approved by the latter group. The policy will be reviewed annually to reflect any changes to the services offered.