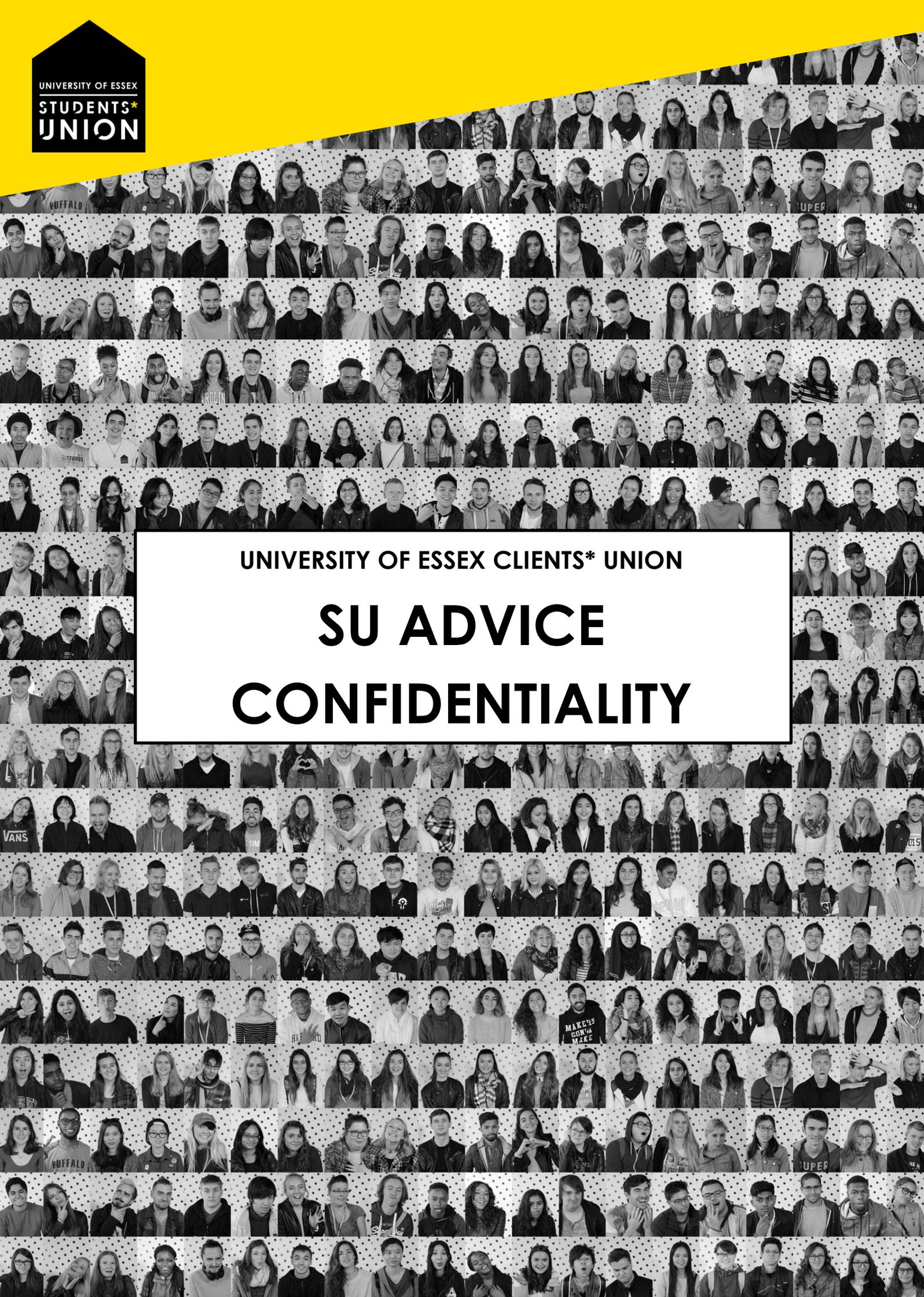


UNIVERSITY OF ESSEX

STUDENTS
UNION

UNIVERSITY OF ESSEX CLIENTS* UNION

SU ADVICE CONFIDENTIALITY



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SU ADVICE CONFIDENTIALITY POLICY

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1. Definition of Confidentiality

SU Advice understands confidentiality to mean that no information regarding a client using the service shall be given directly or indirectly to any third party external to the SU Advice team, without that client's prior expressed consent to disclose such information. (See below for exemptions to this policy).

The SU Advice team consists of all Advisers working for the SU Advice service, the SU Advice Manager, Deputy Manager and the line managers of the SU Advice Manager (the SU Deputy Director Activities and Support and the SU Director of Client Services, Activities and Support). The VP Welfare Officer may be consulted about particular cases where this is deemed necessary for the safety of the service and wider community and would be bound by the confidentiality policy when this occurs.

In exceptional circumstances, where there are serious consequences for the Students' Union as a whole, the SU Chief Executive may be consulted and would be bound by the confidentiality policy when this occurs.

We believe that all clients should be able to access our services in confidence and that no other person should ever be informed that they have used SU Advice unless their express permission is given.

We recognise that information may be indirectly given out through staff informally discussing cases. All staff should ensure that no discussions relating to a client using SU Advice take place outside SU Advice or Students' Union premises (this includes both physical and online discussions) where a client's identity might be revealed to a third party.

SU Advice Staff and volunteers are given extensive training on confidentiality, what it means and how to ensure confidentiality is maintained. This information is reinforced throughout their time working in SU Advice. Each member of staff and volunteer is required to sign a Confidentiality Agreement.

The Union's Executive Committee will not receive details of individual clients or their cases. This is with the exception of the VP Welfare who has responsibility for the service and may be consulted about particular cases. They are bound by this confidentiality policy when this occurs.

We recognise that clients need to feel secure that confidentiality can be assured when using our services. Confidential interview space is available and we will ensure that every effort is made to prevent inadvertent breaches of confidentiality. Where appointments are held online, the adviser will ensure they

are in a confidential setting and will ensure the client is comfortable in their own setting and able to speak freely. Zoom meetings will not be recorded.

We will not confirm the client's presence in SU Advice, or use of SU Advice, to any third parties without obtaining the client's consent.

1. Exceptions to this policy:

We recognise that there are circumstances where it may be deemed necessary to breach a client's confidentiality, including when:

- a. The client presents a serious risk to themselves or others
- b. There is a conflict of interest which necessitates one client being informed that the case can no longer be acted on. By its very nature this will draw attention to the fact the service/adviser is acting on behalf of the other party (see the SU Advice Conflict of Interest Policy)
- c. Not to do so would break the law

In the case of 2.a. where a member of the SU Advice team feels confidentiality should be breached the following steps must be taken:

- i. The staff member should raise the matter immediately with the SU Advice Manager (or Deputy Manager, in their absence).
- ii. The staff member must discuss with the Manager the issues involved in the case and explain why they feel confidentiality should be breached and what would be achieved by breaching confidentiality – this information must be made clear in the client's case record.
- iii. If it is agreed that there is significant cause to suggest confidentiality should be breached, the Manager/Deputy Manager should take the following steps:
 - The client should be advised that there is a concern and why it may be deemed necessary to disclose their case to a relevant third party. Where possible the client should be asked to give permission for this disclosure to take place. If they do not consent, they should be advised that it may be deemed necessary to disclose without their consent.
 - The Manager should brief the Deputy Director Activities and Support and/or the Director of Student Services, Activities and Support on the full facts of the case, ensuring that at this stage

confidentiality is not breached. The Manager will seek authorisation from the Deputy Director/Director that confidentiality can be breached.

In the rare scenario that neither the Deputy Director nor Director are available for consultation, an alternative member of the SU Directorate team will be consulted. If no Director is available the SU Advice Manager will take action as deemed necessary and will provide a full report to their line manager.

- If the authorisation is received, a written record of the authorisation should be added to the client's case record and any action agreed undertaken. The Manager (or Deputy Manager) is responsible for ensuring that all activities are actioned.
- If the Deputy Director/Director does not authorise the breach of confidentiality then this decision is final.

In the case 2.b. a Conflict of Interest, the Manager (or Deputy Manager in their absence) may give verbal permission for this breach of confidentiality to occur, provided that details of the case are not discussed with the client and that a note is kept on the casework. See the Conflict of Interest Policy for further details.

It is recognised that there may be other occasions where other SU Departments are aware of a client's case or visit to SU Advice (e.g. the Finance department will be aware due to the SU Hardship Loan procedure, or a client may be known to have requested an appointment through the SU Reception). In the case of the SU Hardship Loan process, consent is given by the client at the point of application for their name, and amount of loan to be shared (but not the reason or circumstances for the loan) via the acceptance of the loan Terms and Conditions.

With regards to the SU Reception, staff in the Reception team are required to sign their own confidentiality agreement. No information will be provided to SU Reception about the client's case or visit to SU Advice.

2. Statistical Recording

SU Advice is committed to effective statistical recording of clients to enable us to monitor take-up of service and to identify trends and possible areas of concern.

It is the responsibility of the SU Advice Manager to ensure that all statistical records given to third parties are produced in anonymous form so that individuals cannot be identified.

4. Case Records

Case notes and any other recorded information will be kept secure and accessible only to the SU Advice team. It is the SU Advice Manager's/Deputy Manager's responsibility to ensure all staff are aware of how to record and store data confidentially.

It is acknowledged that some information may be collected outside of SU Advice in workshops or at meetings with clients. This information will be returned to SU Advice immediately as is possible and stored as appropriate.

'Closed' case records will be kept by SU Advice for six years after which time they will be destroyed (information will be stored in line with the General Data Protection Regulations 2016/697).

5. Consent To Share Information

Each member of the SU Advice team will be responsible for ensuring that the client's signed consent is received on the 'Client Information sheet,' for the purposes of data protection (typed consent would be accepted if from an recognised email account belonging to the client).

If it is deemed that a client's case needs to be discussed with a third party, the relevant adviser must seek to obtain signed permission from the client using a 'Permission to Discuss' sheet. This sheet will be stored along with any relevant casenotes/documents for the client. If the client is being advised via email, Skype or Telephone, written consent to discuss in the form of an email will be accepted. This email will be stored with any relevant casenotes for the client.

If necessary, a copy of the 'Permission to Discuss' sheet should be sent with correspondence to any third party.

Where necessary, staff are responsible for checking with clients whether it is acceptable to call them (or write) at home or work in relation to their case. If a message is left or the call is taken by someone other than the client, no direct

mention should be made of SU Advice unless the client has previously indicated that this is acceptable. This consent must be recorded on the client's case notes.

6. Data Requests

Clients of SU Advice have the right to request access to their own case records and data held by SU Advice in relation to them and their situation. Clients should make requests for access, in writing, to the SU Advice Manager. SU Advice reserves the right to satisfy ourselves as to the enquirer's identity.

7. Ensuring the effectiveness of the policy

The Confidentiality Policy will be available for anyone to view on request and made available through the SU webpages. Staff and volunteers will be made aware of the policy via induction and training. The policy will be reviewed annually by the SU Advice Manager or a designated representative. Any amendments will be agreed by the SU Advice Manager, the VP Welfare Officer, and the Deputy Director Activities and Support.