

CONFIDENTIALITY STATEMENT

"The Students' Union Advice Centre is committed to providing a confidential service to all its users. Nothing you tell us will be shared with any other department, organisation or individual outside the Membership Services Department without your express permission, unless:

1. Required by law (under the Prevention of Terrorism and Child Protection Acts)
2. A conflict of interest arises
3. It is necessary in order to ensure client and staff safety
4. Where it is believed that maintaining confidentiality would result in serious harm to a third party "

DEFINITION OF CONFIDENTIALITY

The Student Advice Centre understands confidentiality to mean that no information regarding a service user, shall be given directly or indirectly to any third party external to the Membership Services Department staff, without that service user's prior expressed consent to disclose such information.

We recognise that information may be indirectly given out through staff informally discussing cases. All staff should ensure that no discussions which may identify a client should take place in the presence of those who are not covered by the confidentiality policy.

The Union's Executive Committee will not receive details of individual service users or their cases with the exception of the Education and Welfare Officer who directs the work of the service.

We recognise that users need to feel secure that confidentiality can be assured when using our services. Confidential interview space is available and we will ensure no breach of confidentiality can occur inadvertently. Staff will also ensure that their computers are locked when they are away from their desks.

We will not confirm the user's presence in the Student Advice Centre or use of the Centre without obtaining the user's consent.

The only exceptions to the above are where we are legally obliged to disclose, for instance as in acts of terrorism or where a service user presents a threat to ourselves or others.

STATISTICAL RECORDING

The Student Advice Centre is committed to effective statistical recording of service users to enable us to monitor take-up of service and to identify trends, areas of concern and any policy issues arising.

It is the Membership Services Manager's responsibility to ensure all statistical records given to third parties, shall be produced in anonymous form, so that individuals cannot be identified from them.

CASE RECORDS

It is the Membership Services Manager's responsibility to ensure all case records are kept in locked filing cabinets and that all computerised records are secured appropriately. All case records must be locked away at the end of each working day. All information relating to service users will be securely locked away.

Student Advice Centre
Tel (Stoke): 01782 294469 Tel (Stafford): 01785 353425
Email: sac@staffs.ac.uk
Log on to www.staffsunion.com for more information.

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Case records that are currently in use should never be left anywhere where it is possible for them to be seen.

The service user should be advised that we retain details of their case (to ensure we are complying with the Data Protection Act) and sign an authorisation to indicate his/her agreement. Service users should also indicate whether or not they consent to their cases being reviewed by external confidential quality auditors. If explicit written consent is not received case files must not be included in such audits.

EXPRESSED CONSENT TO GIVE INFORMATION

It is the responsibility of individual Advisers to ensure that where we have agreed to act on behalf of a client that s/he completes a Form of Authority (a scanned copy should be kept on file, and a paper or scanned copy provided to the client). If further verbal consent is given (for example, on the telephone) then a clear note of this must be made on the case sheet.

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 user, no direct mention should be made of the Student Advice Centre unless the client has previously indicated that this is acceptable.

All details of expressed consent must be recorded on the case file.

BREACHES OF CONFIDENTIALITY

Occasions may arise where individual workers feel they need to breach confidentiality. For example: under the Terrorism Act, where a conflict of interest arises, or if a service user exhibits threatening behaviour. We recognise, however, that any breach of confidentiality may damage the reputation of our service and therefore has to be treated very seriously.

There are four situations in which we may breach confidentiality:

1. When the client has expressly asked us to. We will ask clients to complete a form of Authority to disclose stating who they would like us to contact and what they are happy for us to disclose.
2. When we are required to by law. There may be instances where users confide that they have committed/are about to commit a crime. We are required by law to disclose anything related to acts of terrorism. The Terrorism Act 2000 makes it an offence to fail to give information which may help to prevent acts of terrorism or apprehend a terrorist. In all other instances, we will not breach confidentiality just because we are aware that a client intends to break the law unless it is reasonable to believe that a third party may come to serious harm by them doing so.
3. Where a service user exhibits threatening behaviour, whether to other users or staff, it may be necessary to summon help from outside the Centre. Wherever possible the Membership Services Manager should be alerted to the problem before action is taken, but it is recognised that action might have to be taken immediately without reference to the Manager. It will be the decision of the Manager in consultation with the Education and Welfare Officer as to whether we can continue to provide a service to the client in these circumstances.



4. When a conflict of interest arises, the Student Advice Centre cannot advise both parties to a dispute. It is therefore our practise to advise only the first party who has contacted us about the issue concerned. We shall inform them that should the second party to the dispute contact us we will have to breach confidentiality, as they will have to be informed that we are unable to advise them because the first party has already contacted us. Wherever possible we will then refer the second party to an appropriate outside Agency and the first party will be informed of this. Each client can continue to be advised by the Student Advice Centre on other issues and will be advised of this. Where the Student Advice Centre cannot advise one or both parties due to a conflict of interest, and the dispute has legal implications, both parties should be referred for independent legal advice.

The full text of our Confidentiality policy is available from the Students' Union Information Centres or the Student Advice Centre.

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