

# GUIDELINES ON CONFIDENTIALITY IN STUDENT HEALTH AND WELFARE

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## Introduction

1. These guidelines are intended for the benefit of all members of College who are involved in student health and welfare and for whom confidentiality might be an issue, including College Officers, College Supervisors, College Staff, and of course students themselves. They are designed to ensure that all relevant parties are aware of the basic principles concerning confidentiality.
2. The guidance provided in this document is based on and in line with the University's [Guidelines on Confidentiality in Student Health and Welfare](#) (which also sets out the legal context for principles governing confidentiality, and provide details concerning the disclosure of information to the police), and is in line with the College's Data Protection Policy (which sets out the ways in which the College complies with the obligations entailed in the Data Protection Act of 1998).
3. The document consists of three sections: the first part outlines the aims and principles of the College's guidelines; the second part provides an overview of relevant professional codes of practice; and the third part describes the role of the College's Welfare Committee.

## Aims and Principles

4. Nuffield College aims to foster a culture within which students and other members of College feel able to raise personal and private matters as a means of seeking support or advice, and can be reassured that their discussions will be treated with the appropriate levels of confidentiality.
5. To this end, the College operates in accordance with the following principles.
  - a. A general respect for privacy means that matters relating to the health and welfare of individuals must be treated as confidential (and in line with the requirements of the College's [Data Protection Policy](#)).
  - b. Any member of College to whom a student turns for advice or support on a personal or private matter must take efforts to establish (preferably at the outset of any discussion) the extent to which the content of the conversation is to be treated as confidential.
  - c. The student's consent must always be sought before confidential information is disclosed to a third party or parties (including the student's family members), and the extent of any onward transmission must be clearly agreed.
  - d. In line with the European Convention on Human Rights, the disclosure of confidential information without an individual's consent is permitted only in circumstances where it is necessary to prevent a threat to the health and safety of

individuals or groups; even in such circumstances, all reasonable efforts must still be made to secure the individual's consent before confidential information is disclosed, and where practicable, advice must always be sought from the highest available authority within College before confidentiality is breached.

- e. Students seeking support should be encouraged by those who are advising them to consider the possible benefits of sharing relevant information with other parties (e.g., to achieve a desired outcome, or to obtain professional medical advice), and should be made aware of internal and external sources of support (see the [Welfare](#) page of the College intranet for details, and the first part of the College's [Fitness to Study](#) policy).
- f. College members acting in an advisory capacity need not feel that responsibility for managing and taking decisions about an individual student's situation rests with them alone, and are encouraged to seek advice on issues of concern in general terms, without breaching students' confidentiality or disclosing their identity.

### **Professional Codes of Practice**

6. The General Medical Council operates an explicit set of guidelines on medical confidentiality. Doctors have the discretion to share information with other members of an immediate healthcare team, and in a limited set of other circumstances; the General Medical Council states that "Disclosures may be necessary in the public interest where a failure to disclose information may expose the patient, or others, to risk of death or serious harm. In such circumstances you should disclose information promptly to an appropriate person or authority."
7. The College Counsellor (TBC) is expected to be accredited by the relevant professional body(s) (British Association for Counselling and Psychotherapy or UK Council for Psychotherapy or British Psychological Society) and to abide by their ethical framework and guidelines on confidentiality.
8. The University's Student Counselling Service is an organisational member of the British Association for Counselling and Psychotherapy and abides by its Ethical Framework for Good Practice. The University *Guidelines on Confidentiality in Student Health and Welfare* state that: "Confidentiality remains with the staff of Student Welfare and Support Services and information will not normally be conveyed to others without permission. If a student were considered to be a danger to [themselves] or to others then the student's consent would still be sought before information conveyed to others. If this consent were not given then a counsellor would consult with a senior member of the team before a decision to break confidentiality was taken. The impact on the member of staff's future therapeutic relationship with the student would also be taken into consideration. Any breach of confidentiality would be minimised by restricting the information conveyed both to that which is pertinent to the immediate situation and to those persons who can provide the help required by the student."

### **Nuffield College Welfare Committee**

9. The College Welfare Committee exists in order to provide strategic oversight of welfare issues within College, including health, disability legislation, financial aid funds, harassment and bullying, maternity/paternity schemes, equal opportunities, counseling and accommodation. The Committee does not discuss individuals or individual cases, but is concerned with the provision of welfare services in general terms across the College,

and may take action, or recommend that action be taken, in response to recurrent welfare themes. The Chair of the Committee is the Warden. The other members are the Equality and Diversity Officer, the College Counsellor, the Senior Tutor, the Bursar, the Junior Dean, the College Doctor, and one or two representatives of the Junior Common Room.

Queries or concerns about these guidelines should be directed to the [Senior Tutor](#) in the first instance

*Final version approved in 2014/15, updated August 2016*