

Name: SOP Confidentiality and data protection

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Purpose

This statement seeks to cover and provide a framework for all the keys areas relating to confidentiality within the service and context within the UoB.

As well as all relevant policies and procedures, this should be read in conjunction with the Student Fair Processing Notice, Safeguarding Policy, the Student Services' Confidentiality Statement, the Student Counselling Service's (SCS) Working Agreement and SCS Consent Form.

Background

The SCS is part of the Student Services division. The division is comprised of Accommodation Office, Residential Life Service, Student Wellbeing Service, Students' Health Service, Student Counselling Service, Disability Services, Student Inclusion Service and the Multifaith Chaplaincy.

The SCS is an organisational member of the British Association for Counsellors and Psychotherapists (BACP) This places commitment on its members to observe and abide by the BACP Ethical Framework for the counselling professions and BACP membership policies and protocols.

In any given situation staff will need to use their professional judgement and consult when needed to make the best decisions they can regarding confidentiality and data, balancing needs, the staff member, SCS, BACP principles for ethical decision making and the wider University.

The SCS abide by the Student Agreement.

	<p>Scope</p> <p>The SCS Confidentiality and Data Protection Statement covers all services that the SCS provides to students and staff, including support, counselling, group work and advice given to staff. Confidentiality applies to students as clients of the service, not parents or 3rd parties who may contact the service.</p> <p>Administrative staff and all external consultants delivering services to, or for, the SCS are also bound by the SCS Confidentiality Statement.</p> <p>Students within groups should also protect the confidentiality of groups members i.e. not share any information disclosed by another member of the group or personal details such as name, course, level of study or any other information that may lead to the student being identified. It is the counsellors role to ensure students understand group confidentiality principles.</p> <p>The SCS confidentiality Statement applies to the Mental Health Advisory Service (MHAS) as part of the SCS.</p>
1	<p>How do we gather your consent?</p> <p>SCS is part of Student Services which gathers your consent when you complete a Request Support Form from Wellbeing Access (WA). Student Services has a Confidentiality policy which sets out exceptions and limitations to confidentiality.</p> <p>SCS has its own Confidentiality and Data Protection Policy in addition to the Student Services policy. SCS gathers your consent in the first appointment with you.</p>
1.1	<p>Registration</p> <p>You register through Wellbeing Access (WA) by completing a Request Support Form or calling (9 am to 5 pm Monday to Friday) +44 (0)117 456 9860. This helps to identify your needs and appropriately support.</p> <p>If appropriate you will be referred to SCS for counselling. SCS then will contact you to offer you an appointment.</p>
1.2	<p>First Appointment</p> <p>As part of the first appointment. You will:</p> <ul style="list-style-type: none"> ○ confirm you have read the counselling confidentiality statement ○ establish the limits of confidentiality ○ have the opportunity to update consent to liaise with other services including Opt-In ○ sign the working agreement

	<p>You can decline and update consent to liaise at any stage, but this may affect the support we can offer. We advise you to explore and discuss consent during your initial appointment.</p>
<p>2</p>	<p>Limitations to privacy and confidentiality</p> <ul style="list-style-type: none"> • SCS abide by the Student Agreement and the Data Protection Policy • Information given by the student to the service will be treated as confidential; there are limits to confidentiality. • The SCS will breach confidentiality if there is imminent risk of harm to self and others (to protect your vital interests or those of another person), including children and vulnerable adults, and in the event of significant illegal activities. • The SCS will follow the Mental Ill Health Emergency Response Protocol, the Student Emergency Contact Procedure, and the Opt-In Procedure when the risk and potential for harm is deemed great enough. The SCS will always try to inform you if they are going to breach confidentiality, although this may not always be possible. <p>In these situations the SCS may have to breach confidentiality with the following (this list is not exhaustive):</p> <ul style="list-style-type: none"> • Parents • Concerned friends • Courts (release of notes) • Coroners • Academic departments • Other student support services • NHS • Counter-terrorism (via Prevent duty)
<p>2.1</p>	<p>Emergency contact and Opt-In</p> <p>The University has an ‘opt-in’ policy regarding contacting an emergency contact if you are having a mental health crisis. If you have consented for your emergency contact to be informed the SCS will inform the Student Wellbeing Service, or Resident life Service so they can implement this policy. You may request that an alternative contact is informed (not your emergency contact) if you are having a mental health crisis; you must inform the SCS of this alternative contact, and this change will only be applicable to the SCS. This should be confirmed with you by your counsellor in your first session and you can change this at any point by informing your counsellor or contacting the SCS. If you have not consented to ‘opt in’ or changed your mind, the Student Counselling Service (SCS) will follow the Mental ill health emergency response protocol, the Student Counselling Service’s internal management of risk policy and the Student Emergency Contact Procedure in emergency situations.</p>

	<p>Parents may also raise concern directly with the University of Bristol and the SCS via the Report and Support tool.</p>
2.2	<p>Complaints</p> <p>If you're not happy with the service you have received we ask that in the first instance you to talk to the member of staff you have been having support from and seek Early Resolution as per the Student Complaints Procedure. If this is not possible, or if you feel the issue has not been resolved, please email the service at student-counselling@bristol.ac.uk for the attention of the Head of Service. If you are unable to approach the Student Counselling Service in regards to your complaint you can follow the Student Complaints Procedure in full.</p>
2.3	<p>Liaison with academic departments regarding Extenuating Circumstances:</p> <p>If you wish to apply for Extenuating Circumstances, you can submit as evidence any e-mails received from SCS that record appointment offers and registration with the service as well as submitting the post-initial consultation e-mail. If academic boards require more in-depth information, this can be provided by the duty manager in SCS by a phone conversation with the academic member of staff, provided we have your consent to liaise. Please see the Extenuating Circumstances SU webpage for more information on this process.</p>
2.4	<p>Child protection/Safeguarding</p> <p>If it is thought that there is a serious risk to a child the service will follow the University Safeguarding policy, the guidelines laid down by child protection legislation and the SCS internal risk management policy.</p>
2.5	<p>Research/professional development</p> <p>The SCS staff will always seek your consent using the Continual Professional Development (CPD) Consent Form and CPD Standard Operating Procedure) to use your information in any research, training or professional development such as BACP accreditation and will always endeavour to protect your identity. See SOP The use of Client Material for CPD</p>
2.6	<p>Fitness to Study</p> <p>Fitness to study relates to your capacity to participate fully and satisfactorily as a student in relation to academic studies and life generally at the University of Bristol.</p> <p>If you tell us that you do not feel fit to study, or if we have concerns that you are not fit to study, we will explore this with you within the support we are providing and suggest that you talk to the Student Wellbeing Service or Resident life Service and your personal tutor/supervisor.</p> <p>The SCS will always attempt to work collaboratively with you. The SCS will only break confidentiality if we believe that you or a member of the</p>

	<p>public could be at risk of harm. We would also follow the Mental ill health emergency response protocol and the Student Counselling Service’s internal risk management policy.</p> <p>It would not be appropriate for the SCS staff to attend fitness to study case reviews or fitness to study panels. With your consent the SCS may contribute information to the fitness to study process.</p>
2.7	<p>Fitness to Practice</p> <p>If you are enrolled in a Professional Programme you must refer to your department’s documentation (as applicable to your profession) in order to make yourself aware of the principles of professional behaviour and the professional behaviour expected of you.</p> <p>If you tell us that you do not feel fit to practice or if we have concerns that you are not fit to practice we will explore this with you within the support we are providing and suggest that you talk to the nominated person in your department and the Student Wellbeing Service or Resident life Service.</p> <p>It would not be appropriate for The SCS staff to attend fitness to practice case reviews or fitness to practice panels. With your consent The SCS may contribute information to the fitness to practice process.</p>
2.8	<p>Jurisdiction</p> <p>The provision of counselling services by The SCS of the University of Bristol is carried out in under English Law and subject to United Kingdom regulatory requirements. Any dispute arising out of the provision of these counselling services are therefore subject to English law and subject to the exclusive jurisdiction of the courts of England and Wales.</p>
3	<p>Privacy Statement</p> <p>The Student Counselling Service and the University need to collect and process personal data in order to function effectively as an educational institution and to provide you with the support you require while undertaking your studies. Personal data is processed for a variety of reasons as set out in the Student Fair Processing Notice.</p>
4.1	<p>What information does the Student Counselling Service keep?</p> <p>We keep administrative and clinical records of all contacts with you, all liaison with services and all supervisory processes.</p>
4.2	<p>How long do we keep information for?</p> <p>We keep records for 6 years following data protection legislation.</p>
4.4	<p>What does the Student Counselling Service use my information for?</p>

	To inform and direct counselling and the support you receive. Anonymised data is used in reports to the University and others to account for service use, impact and effectiveness of counselling.
4.5	<p>Why do we ask for your consent to liaise with others?</p> <p>In order to offer joint or multidisciplinary care and joint working to support students with multiple needs your consent is needed for us to liaise with other services. Other services or staff in the University will use information we provide to inform the support they provide for you.</p>
4.6	<p>What do we share with others?</p> <p>We will always share information on a need to know basis, only sharing what is needed.</p>
4.7	<p>How long is consent given for?</p> <p>Consent is given for the duration of your time at University. You can change your consent at any time by emailing the service on student-counselling@bristol.ac.uk. You can decline consent to liaise at any stage, but this may affect the support we can offer. We advise you to explore and discuss consent in your initial consultation.</p>
4.8	<p>There are limitations to privacy and confidentiality (see 2.) due to statutory duties where the law requires disclosure, if there is imminent risk of harm to self and others (to protect your vital interests or those of another person) or in the event of serious illegal activities. The Student Counselling Service will follow BACP guidelines, Mental ill health emergency response protocol and the Student Emergency Contact Procedure.</p>
4.9	<p>Questions or comments</p> <p>If you have any questions or comments regarding this notice or you wish to exercise any of your rights (as set out in the Student personal data fair processing notice), you should contact the duty manager in the Student Counselling Service and the University Data Protection Officer by email at data-protection@bristol.ac.uk or by phone on ext. 41824.</p>
5	<p>Working Agreement</p> <p>I agree:</p> <ul style="list-style-type: none"> To give 48 hours' notice where possible should I wish to cancel any appointments or group sessions offered. To contact the office by phone +44 (0)117 394 0123 or email: student-counselling@bristol.ac.uk should I wish to cancel any appointments or group sessions offered. <p>I understand that:</p>

- Once I have agreed to an appointment time for up to 5 regular sessions, I will lose it if I do not give 48 hours notice to the service
- The SCS works according to the guidelines and Ethical Framework for Good Practice in Counselling and Psychotherapy produced by the British Association for Counselling and Psychotherapy, of which the SCS are a member.
- If I wish to change counsellors, I will speak with my counsellor about this in the first instance. If this is not possible I will email the service at student-counselling@bristol.ac.uk. A duty manager will then explore this with me and if needed change my counsellor.
- SCS will always contact me if for any reason my session needs to be cancelled or re-arranged.
- If I have any concerns about the counselling I have received I should raise this with my counsellor or group facilitator in the first instance and then, if necessary, with the Head of Service by email to student-counselling@bristol.ac.uk. The SCS will respond quickly to any complaints made and seek to correct any errors on their part.
- For One At A Time sessions, it is suggested that I reflect for a minimum of 24 hours, and then if I require another session it is my responsibility to contact the SCS at any point thereafter to make an appointment.
- If I repeatedly do not attend appointments I understand that support will be reviewed and possibly referred back to Wellbeing Access for Student Services to discuss the next course of action.

6 Consent form

I confirm that I have read and understood the ‘SCS Confidentiality and Data Protection Statement’.

I confirm that I give the Student Counselling Service my consent to liaise (share information about me) with the following services if necessary, on a confidential basis, for my time at university. I understand that I can withdraw my consent at any time.

Yes No Student’s Health Service/or my GP

Yes No Student Services (Student Wellbeing Service, SHERPA, [Disability Services](#), [Multifaith Chaplaincy](#), [Residential Life Service](#), [Students’ Health Service](#) and the Student Inclusion Service)

Yes No Sports Exercise and Health (for Healthy Minds programme)

Opt in ‘The University of Bristol strongly supports working closely with families. Obtaining information from, and listening to, the concerns of families can be key in determining risk. We recognise however that some people do not wish to share information about themselves or their care with family, or with certain individuals. Practitioners should therefore discuss with people how they wish information to be shared, and with whom. Wherever possible, this should include what should happen if there is serious concern over suicide risk.’

Do you consent for opt in to be used? Yes No

Please record the student's wishes regarding sharing information with their emergency contact. Please add a date by any information you add or updates you make.

Yes No Academic Department (i.e. for extenuating circumstances or welfare issues)

Yes No Other appropriate professionals within and outside the university on a confidential basis, such as NHS mental health teams, SU-advice centre, 3rd sector services, or any others that may arise.

Please add any names of individuals that are supporting you, or any further information around consent:

I understand that there are limitations to privacy and confidentiality due to statutory duties where the law requires disclosure, if there is imminent risk of harm to self and others (to protect my vital interests or those of another person) or in the event of serious illegal activities.

Print Student full name

Sign by student date

Sign by counsellor date

Print counsellor full name