

LUSU ADVICE **CONFIDENTIALITY POLICY**

A confidential service – nothing you tell us will be shared with anyone outside the service without your permission. With your permission we will contact relevant organisations and individuals in order to assist you. We will not contact anyone you expressly ask us not to. Confidentiality will only ever be set aside if it is perceived you pose a serious immediate danger to yourself or to others.

We're committed to providing a confidential advice service and believe that principles of confidentiality must be integrated across all aspects of services and management. Users deserve the right to confidentiality to protect their interests. Our policy is displayed in the waiting area, interview rooms as well as here on our website.

LUSU Education & Support recognises that clients need to feel secure in using the service in a confidential manner.

1. No information regarding a client shall be given directly or indirectly to any third party external to the advice team without the clients expressed permission.
2. Clients should be able to access its services in confidence and that no other person ever know that they have used our services. All staff should ensure that no discussions identifying individual clients of the service take place outside of the service.
3. We will ensure that clients are offered confidential interview space.

CASE MANAGEMENT SYSTEM

To manage cases and represent students effectively, we do keep information relating to clients on a secure case management system. This includes case notes, copies of correspondence, calculation sheets and any other sources of information. The system can only be accessed by staff. Case files remain the property of the service although clients can be given access and photocopies of their own case records on request. Records will be kept for 6 years after which time they will be confidentially disposed of.

We're also committed to effective statistical recording to enable LUSU Education and Support to monitor service take-up and identify arising policy issues. Any statistical records given to third parties, such as to support funding applications, monitoring reports for the LUSU management or executive shall be produced in anonymous form, so individuals cannot be recognised unless their express consent has been given.

CONSENT TO GIVE INFORMATION

It is the responsibility of advisers to ensure that where action is agreed to be taken on behalf of a client, that client must firstly have been asked if there is anyone they do not wish LUSU to contact. The client's response will be recorded in their case file.

The advisers are responsible for checking with clients that it is acceptable to call or write to them at home or work in relation to their case. All staff must ensure they make no reference to the service to third parties when making telephone contact with clients.

All details of consent or requests not to disclose information will be recorded in the case file.

BREACH OF CONFIDENTIALITY

We recognise that occasions may arise where individual advisers feel they need to breach confidentiality. However, any breach of confidentiality will be treated very seriously. When an adviser feels confidentiality should be breached the following steps will be taken:

- The adviser should where possible discuss the potential breach with the client.
- The adviser should raise the matter immediately with their line manager who will discuss with them the issues involved in the case and explain why they feel confidentiality should be breached and what would be achieved by breaching confidentiality. The manager will make written notes of the discussion, which will be added to the clients file.
- It is the responsibility of the line manager to discuss the available options for each case with the adviser.
- The line manager is responsible for making the decision on whether confidentiality should be breached. If it is decided that confidentiality is to be breached then the following steps are to be taken:

If the breach of confidentiality is authorised, a full written report should be made and a copy included in the case file.

Under no circumstances should any breach of confidentiality be discussed with anyone who would be in a position to investigate a complaint against LUSU Education & Support. This is to ensure that any future complaints or investigations arising from the breach in confidentiality can be carried out in an independent manner.

If the decision is urgent and the line manager is absent, all the adviser will liaise with the Chief Executive or their deputy who will nominate another member of the senior management team to help resolve the matter.

LEGISLATIVE FRAMEWORK

We will monitor this policy to ensure it meets statutory and legal requirements including the Data Protection Act, Children's Act, Rehabilitation of Offenders Act, Social Security Administration (Fraud) Act, Prevention of Terrorism Act and Human Rights Act.

CONFLICT OF INTEREST

Confidentiality will need to be breached when LUSU Education & Support identifies a conflict of interest, which necessitates informing one party that LUSU Education & Support can no longer act on their behalf. By its very nature this will draw attention to the fact that LUSU Education & Support is acting for the other party. This is the only information, which should be disclosed and therefore would not be a breach of this policy.

ENSURING THE EFFECTIVENESS OF THE POLICY

Existing and new staff will be introduced to the Confidentiality Policy via induction and training. The policy will be reviewed annually and all SU Executive members will receive a copy of it. Copies will be available to students on request.

CONFLICTS OF INTEREST

- There is duty upon the adviser to identify any conflicts of interest in a timely manner to limit any potential impacts on their service to the student
- If an adviser feels that they are unable to offer advice or support to a particular student or group of students due to suspected conflict of interest, they should refer the case to another Adviser or to an alternative service provider. [There is no need to disclose the nature of a conflict of interest to other advisers merely that one exists].
- If a conflict of interest arises between students or groups of students, we cannot guarantee to provide impartial advice and support for both parties. The first party to approach the service will, if possible, receive that help.
- It may be suggested that LUSU acts as a mediator between the parties, but only if both parties are in agreement.
- In circumstances where a complaint or dispute is against another LUSU service or member of staff
- Will ensure that the student understands that there is a potential conflict of interest.
- If both the adviser and the student are happy to continue in this knowledge then the case can proceed.
- If at any point the student or adviser feels unable to continue, the student will be referred to an alternative service provider or made aware of the complaints procedure.
- A 3rd party should handle complaints directly against other members of the advice team.