



UCL Academic Manual 2021-22

Chapter 14: Teaching and Learning

Student Confidentiality Statement

How UCL manages confidential information

Policy

What is confidential information?

During your time at UCL there may occasionally be circumstances where you choose to share confidential information about yourself with your personal tutor or other staff from across UCL. It is important that you understand how we will deal with this information.

Confidential information is any information to which the common law 'duty of confidence' applies. Put simply, a duty of confidence is created when 'private' information has been passed on in such a way that the person receiving the information was aware, or should have been aware, that the information was being imparted on the basis of confidentiality.

Whilst we will always deal with sensitive information very carefully and only share it on a 'need-to-know' basis, such as when you provide information relating to a request for extenuating circumstances, this statement is concerned with times when you share information in a confidential way. This maybe during a conversation with a personal tutor or in an email or in some other way. It's likely to cover particularly unusual one-off circumstances rather than relate to a defined UCL processes or procedure.

If I share confidential information will it be shared with anyone else within UCL?

The answer to this question will always depend on the circumstances but we will usually require your consent before confidential information can be shared, even within UCL. If you share some confidential information with a member of staff and they know that in order to help you or for UCL to provide you with support they will need to share the information, they will discuss this with you and seek your agreement before sharing anything.

Sharing without your consent

There are specific circumstances where confidential information may be shared without your agreement. A disclosure can be made without consent under the following circumstances:

- when the vital interests of any person are threatened and the disclosure is made to a relevant, appropriate person;
- when it is in the public interest to do so and the disclosure is made to a relevant, appropriate person.

Whenever an obligation of confidence is to be broken without consent, you should still be informed, unless to do so would endanger your or another person's vital interests. In this context vital interests refers to a situation which would seriously affect your physical or mental health or wellbeing.

Involving others

Sometimes when you share confidential information about a problem you are encountering we may feel that involving someone else such as a parent or another person close to you would help you. However, if the information was provided in confidence we will not share this without your consent. Only where the circumstances are so severe that in order to protect your or someone else's vital interests or where there is a public interest to do so could the information be disclosed to an appropriate person.

Duty of care?

UCL has a duty of care to protect its staff and students from harm, as far as practicable and foreseeable. This duty of care extends to directing those in need to the appropriate support services and to encouraging them to take up the support available.

With your agreement, we can refer you to Student Psychological and Counselling Services or to other appropriate services within Student Support and Wellbeing. However, you are under no obligation to agree to such disclosures and where you object, we will respect your decision, although this may limit our ability to offer you support.

If you register with the Disability, Mental Health and Wellbeing team in Student Support and Wellbeing (SSW) the information you share with them will be treated confidentially. You will be asked whether the Disability, Mental Health and Wellbeing team staff can reveal limited information to other members of UCL staff, on a 'need-to-know' basis where this is necessary to facilitate our support for you. More information can be found at the following web-link about how SSW handles [Student Confidential Information](#).

Student of concern

There may be a time when someone is concerned about you and wishes to share their concern with Student Support and Wellbeing so that they can offer you appropriate support. In these circumstances information about you may be shared on a limited basis with appropriate people within UCL. However, where the concern relates to a situation that a UCL member of staff has become aware of because you have disclosed some information to them in confidence this information will only be shared with your consent unless it is in your vital interests or there is a public interest to do so.

Confidentiality and data protection law

Confidential information and personal data are not the same thing but they can overlap, for example financial information about a business may have been provided in confidence but it is not personal data as it does not identify, or relate to, an individual. Information found within a medical record will be both confidential, due to the circumstances in which it was provided and the nature of the material, and also special category personal data as defined data protection law.