



## Report + Support: Confidentiality Note

When using the report and support tool, UCL will aim to keep your information confidential which means that only people dealing with your report would usually see a copy. There are, however, circumstances when we may be required to share your information with others. The purpose of this guidance is to provide more information on how we keep your information confidential and how we share it with others. If you have any questions on confidentiality and your report please contact the Equality, Diversity and Inclusion Team by emailing [reportandsupport@ucl.ac.uk](mailto:reportandsupport@ucl.ac.uk).

### Anonymous reporting

If you choose to report anonymously, the report will not include information that is identifiable to you. UCL encourages individuals making an anonymous report not to include names or other information that could be used to identify a third party. Nevertheless, we acknowledge that there may be circumstances in which it is appropriate to make an anonymous report containing such information. Such information will be used for statistical purposes and inform prevention work. For further information, please see the [privacy notice](#).

### Named reporting

If you use this reporting tool to make a named report then there are certain circumstances when a copy of all or part of the report will be shared with others. For example, the entire report will be shared with the selected advisor chosen, such as a Dignity Advisor.

For further information on this point, please see the Report and Support tool [privacy notice](#) and our separate guidance note on [duty of care](#).

UCL's intention is that the reports made on this tool are not routinely used in investigations and disciplinary processes. If you want your complaint to be investigated, then we ask you to follow the formal procedures for staff and students to initiate this process. When disclosure of the initial report is made to an investigator or as part of a disciplinary process then we will ordinarily notify you and you can discuss the reasons for the disclosure as well as raise any objections.

UCL understands the importance of keeping your information confidential where we are able to do so. We also take a strict position in respect of retaliation against someone for raising a complaint.

### Data subject access requests

Under data protection laws, individuals are able to make a data subject request (DSAR) to obtain data held by UCL about them. If you make a DSAR that includes a request that covers your report then you will receive a copy of your personal data in your report. If the subject of your complaint makes a DSAR and the scope of their request covers their personal data in your report then we are legally required to share this. They would not be entitled to receive details of your name although it is possible that they may be able to identify you when we provide their data. An example of when this might be likely is if a specific event or incident is named in the report and the individual requesting the DSAR is able to guess your identity from this information.

Our data protection team will try to balance our aim of protecting your confidentiality with the other person's right to receive their personal data. When your personal data is inextricably linked with the personal data of the subject of the complaint then UCL will apply the rules around mixed data. These rules can be helpful in allowing UCL to protect your confidentiality but they do not provide an absolute guarantee we can keep your report confidential.

In addition to being able to request the personal data in the report, both you and the subject of the complaint can request your personal data in any correspondence and documents (whether electronic or hard copy) created following your initial report that is held by UCL. The mixed data rules apply in the same way to any correspondence or other document created following your initial report.

## Meeting with a Dignity Advisor

Our Dignity Advisors are trained in providing initial advice to you on the various support options available, with a focus on informal resolution. If you want to take a matter further, a Dignity Advisor will connect you with an HR Advisor who can provide detailed guidance on formal procedures.

In the event the matter proceeds to a disciplinary hearing then it is possible that your meeting may be disclosed to the disciplinary panel, the HR staff supporting the process, the subject of the complaint and their adviser or representative.

## Meeting with an HR Advisor

Our HR advisers are able to provide more detailed guidance on the options available to you in respect of your report. Notes that they take are usually retained as a record and may be included as part of a disciplinary process, although this is not routinely the case.

## Duty of Care: Escalation circumstances

When you have made a report, even if you decide not to take it any further, there are certain circumstances when UCL may share the report with third parties. This is usually because there are concerns for your safety or another person's safety. More information is provided in the [duty of care guidance](#).

## Investigation

If you make a named report, you will ordinarily have control over whether or not the matter is investigated by UCL. There are certain limited circumstances when we would investigate even if you do not want us to. The [key reasons are set out here](#).

If you want your complaint to be investigated then you will be asked to provide a more detailed written account of your complaint. It is this account that would be given to an investigator and may be included in the bundle of documents for any subsequent disciplinary hearing.

## Disciplinary or other formal hearing

If an investigation takes place, one of the possible outcomes is that the matter is referred to a disciplinary hearing. A copy of the initial report made on this tool will not routinely be included in the disciplinary hearing bundle, to the disciplinary panel, to the subject of the complaint or to his or her advisors. This is because you will have been asked to provide a more detailed complaint in writing. There may be limited occasions when the original report you have made in this reporting tool is disclosed as part of a disciplinary process. An example might be if the subject of the complaint or their advisers has managed to obtain part of your initial report (e.g. through a DSAR) and has identified information in the initial report that is inconsistent or otherwise conflicts with what you have included in your formal report.

## Litigation

UCL tries to resolve complaints internally using its own processes such as the staff disciplinary process. Sometimes individuals are unhappy with the internal process or its outcome. An example is if the subject of your complaint is disciplined or dismissed and considers that the process followed was unfair. Some individuals consider that the appropriate next step is to bring legal action against UCL and on rare occasions, certain claims can be brought against UCL employees personally. Individuals who make a complaint against another person in good faith are protected against retaliation and UCL takes retaliation very seriously.

If a claim is brought against UCL or (on rare occasions) against any of its employees then there are specific rules UCL has to follow concerning the documents it needs to provide to the individual who has started the litigation. This process of providing documents is called disclosure. A copy of the initial report you have made may be disclosed to the person bringing the claim, also referred to as the claimant.

UCL aims to protect your confidentiality when making a report using this tool. A copy of the report you make will not ordinarily be used in any formal investigation or disciplinary process but as outlined above there are instances when all or part of the report may be shared with others. If you have any questions

about confidentiality please contact the Equality, Diversity and Inclusion Team by emailing [reportandsupport@ucl.ac.uk](mailto:reportandsupport@ucl.ac.uk).

**report-support.ucl.ac.uk**