

## Postgraduate Advisory Service Confidentiality Policy

### General Principles

The Postgraduate Advisory Service (PAS) is committed to respecting the right to confidentiality of all students accessing our support. We understand that without an assurance of confidentiality, many of those who seek help from the PAS would not do so. Confidential information in general will only be disclosed with the student's consent.

### Student records

The Postgraduate Student Support Officer, or Postgraduate Advisors may keep brief records of meetings with students who seek support from PAS. These records will include the following information as it appears on the student's record on my.tcd.ie (SITs):

- Student Name (as on student record)
- Student Number
- Student email address
- School
- Course of Study
- Supervisor/ Course Coordinator
- Fee status

PAS records may also include: preferred name, gender and pronouns of student (if different from student record); brief *aide memoire* notes, including notes of any referrals made or appeals taken; emails sent to the student from PAS and *vice versa*.

These records are held securely in the Senior Tutor's Office (STO).

PAS files are not attached to any academic record within the College and are held securely and confidentially within the Senior Tutor's Office for a maximum of 7 years.

In maintaining or creating student files, PAS commits to the principles of data protection, namely to:

- Obtain and process information fairly
- Keep it only for one or more specified, explicit and lawful purposes
- Use and disclose it only in ways compatible with these purposes
- Keep it safe and secure
- Keep it accurate, complete and up-to-date
- Ensure that it is adequate, relevant and not excessive
- Retain it for no longer than is necessary for the purpose or purposes
- Give a copy of his/her personal data to an individual, on request

### Access to Records

PAS records are accessible only to members of PAS (the Postgraduate Student Support Officer and Postgraduate Advisors), and in the STO, the Senior Tutor and the Undergraduate Student Support Officer.

Information on whether a student has sought assistance from PAS is made available to others on a need to know basis for the purpose of the provision of, or access to, services with the student's consent.

There are a number of limited exceptions to this principle, namely when a member of PAS/ STO has a serious concern that:

- a. There is a threat to the safety of the student
- b. There is a threat to the safety of others
- c. There is a suspected risk to the wellbeing of a minor or vulnerable adult.
- d. Such disclosures which may be required as part of a legal/ criminal process

In the exceptional circumstances listed above, information may be given to appropriate third parties without the student's consent. Where possible, staff should inform the student of their intended actions, however protecting the student's safety and the safety of others takes precedence.

All information held by PAS complies with the requirements of the Data Protection Act, the Freedom of Information Acts and relevant College policies. The Data Protection Act forbids the disclosure of personal information without the student's explicit consent.

### **Basic Principles on Sharing Information**

- a. When consent is given:

Information is shared with other services and third parties only with the student's consent (subject to the exceptions previously mentioned) and for a defined purpose, such as in submitting an academic appeal, requesting an extension of time on the register, or in accessing additional supports and services for the student. Information is shared on a need to know basis and will vary according to who needs it and for what purpose.

In obtaining the student's consent for the information to be shared, PAS will clarify what the purpose is and who will be given the particular information, so that students can give their informed consent.

- b. When consent is not given:

Students are entitled to refuse consent and such decisions should be respected. In such circumstances students should be made aware of the implications of their choice in terms of accessing advice and support. Students may review their decision at any stage during their time with PAS

Where there are concerns for the safety of students and others, a consultation with the Student Counselling Service or College Health Service will be requested to identify the most appropriate way of assisting all concerned and ensuring their safety. This should always be discussed with the Postgraduate Student Support Officer and/or Senior Tutor, as appropriate.

### **Responding to requests for information from third parties**

It is recognised that the majority of enquiries coming from outside the Postgraduate Advisory Service/ Senior Tutor's Office are usually based on a deep concern for the wellbeing of the student. It is natural that parents and family members or members of staff who refer students to the Services would wish to discuss a student case or be informed whether or not the student in question has attended.

While PAS will listen to, acknowledge and assist with these concerns, we will not disclose any information including confirmation of attendance without explicit consent from the student in question.

PAS/STO staff will explain the basis for this non-disclosure; respect for the student, the need to protect confidentiality, and for data protection reasons.

The only exception to this principle is if there is a risk to the student's safety and that of others etc. as outlined above. In particular, if a third party has reason to be seriously concerned about the safety of a student, PAS may seek assistance from the Student Counselling Services or the College Health Service.

### **Freedom of Information**

As a department within Trinity, PAS also adhere to the Freedom of Information Acts as follows:

The College is a prescribed 'public body' subject to the terms of the Freedom of Information Acts, which provide:

- a. a right for each person to access records held by public bodies;
- b. a right for each person to have official information relating to himself or herself amended where it is incomplete, incorrect or misleading;
- c. a right to obtain reasons for decisions affecting oneself made by a public body.

There are also a number of exemptions from the right of access to information, such as the exemption applying to the personal information of other individuals.

Decisions on the exercise of one's rights under the FOI Acts are made by appointed decision-makers in the College, with provision for review by senior College staff.

It should be noted that College is not the final arbiter regarding access to information and requesters have the right to appeal to the Information Commissioner and to the Courts.

### **Service-use and evaluation activities**

All service-use and evaluation data is anonymised and student confidentiality protected at all times.

PAS may also collect evaluation data from students using electronic evaluation forms.

No evaluation information supplied by any individual student will be identifiable nor liable to be linked up to their record in PAS, nor will it be disseminated in any form that could possibly identify the student. Data from service-use and evaluation activities may be included on the PAS website or circulated in annual reports or in other public documents.

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