UNIVERSITY OF HERTFORDSHIRE HIGHER EDUCATION CORPORATION

SCHOOL OF LIFE AND MEDICAL SCIENCES

CONFIDENTIALITY POLICY

This policy has been approved by the School Academic Committee – Life and Medical Sciences on 14 July 2015 and 27 October 2015 (SAC-LMS Minutes 437.2, 14 July 2015 and 447.1.7, 27 October 2015 refer) and supersedes all previous versions.

SCHOOL OF LIFE AND MEDICAL SCIENCES CONFIDENTIALITY POLICY

Introduction

This policy document sets out the School Policy relating to the use of information associated with practice/work-based learning. Section 1 is designed to inform students and academic staff within the School of the standards expected in relation to the management of confidential information. Section 2 details the procedure for dealing with breaches of confidentiality.

Section 1:

Specific Policy Guidance for Students

I.   To facilitate the integration of theory and practice students will be asked to explore and reflect on a range of personal experiences they have had whilst in a practice/work placement or on a visit. This exploration may be within informal contexts such as student group discussions and/or within the context of assessment. Maintaining the confidentiality of information about service users, peers, assessors, mentors, staff and/or organisations is an important part of professional practice[1].

II. Details of information[2] gained in a practice/work placement should only be disclosed on a strict need to know basis. If data collected whilst in practice/work placement forms part of an in-course assessment, online work or classroom/practice/StudyNet based discussions the details should be presented in such a way that confidentiality is maintained. Where information such as patient literature or organisational policy is presented that is already in the public domain, the student is permitted to divulge organisational details.

III. Students must maintain anonymity of all practice/work information, which might lead to the identification of individuals[3]. Students in using service user identifiable information such as pictures, photographs, audiotapes or other images should ensure the information is anonymised so as not to identify an individual directly or indirectly. Anonymisation in this instance requires the removal of any detail or combination of detail that might support identification.

IV. Students should not disclose detailed information, and must protect confidentiality by using pseudonyms for the names of both individuals and organisations. Students must acknowledge this action has been taken at the beginning of their presentations or written assignments. Where names of individuals and/or an organisation have been erased or obliterated, the student must ensure no text is decipherable.

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[1]   Students should refer to the relevant Code of Professional Conduct
[2]   Refers to all information which is **not** in the public domain; this may be information relating to individuals, organisations or commercially sensitive information
[3]   Individuals includes other professionals and clients/patients

V.   Students should seek guidance and support from their lecturers, placement assessors/supervisors/mentors and/or personal tutors if they require further clarity relating to the processing of individual or organisational identifiable information.

Policy Guidance for Academic Staff

I.   Module/Short Course Guides, where appropriate, should make specific reference to the School Confidentiality Policy. Where exception from compliance to this policy is necessary owing to the nature of the assessment for the mdule/short course this must be clearly articulated in the relevant Module/Short Course Guide. The circumstances that constitute an exemption must be made explicit. In such instances, it must also be made clear to students in the Module/Short Course Guide what constitutes a breach in confidentiality. An example where exemption may apply would be where a student needs as part of the assessment process to compile a practice learning log – a written record of competence achievement. In such a case, data would need to be anonymised in terms of service user information; however, it is acknowledged that, if the evidence has to be verified by a practitioner - the signature of the practitioner would provide indication of the name of the host organisation - a case for exemption would therefore apply as the signature is needed to ensure the assessment is valid.

II.   Where it is necessary to obtain explicit written consent and/or permission of an individual(s) (for example in primary research, a detailed case study or where photographs, images or direct quotations from individuals are to be submitted) the process should be clearly documented in the published assessment guidelines included within the relevant Modul/Short Guide. Reference should be made to relevant Codes of Practice. Individual consent forms should not be submitted but archived in such a manner to demonstrate compliance with the relevant Ethical Committee guidance. In exceptional circumstances, access to archived consent forms may be required as part of the assessment process. All letters of correspondence associated with such work must be anonymised.

III.   Programme Specifications should provide detail of any profession specific action that may need to be taken if a breach of confidentiality occurs. Student handbooks should specify clearly that any offence relating to a breach in confidentiality may also be dealt with in accordance with the School Fitness to Practise Policy.

Section 2:

Procedure for Dealing with Breaches of Confidentiality

Formatively Assessed Work and Classroom/Practice Based Discussions
Unless already in the public domain or where explcit consent has been gained, students must not make reference to the names of individuals or organisations in formative assessment, online work, classroom/practice/StudyNet based discussions. It is the responsibility of the lecturer or practitioner concerned to agree and make clear the ground rules for in-class/practice/StudyNet based discussions. Where breaches in confidentiality occur the lecturer or practitioner should correct the behaviour at the earliest appropriate opportunity advising if relevant the whole student group of the limits of confidentiality. The lecturer or practitioner should subsequently meet with the individual student(s) after the discussion to ensure he or she understands clearly the expected standard of behaviour. In exceptional circumstances, single or repeated breaches of confidentiality may be dealt with in accordance with the School Fitness to Practise Policy.

Summatively Assessed Work[4]
All breaches of confidentiality should be referred to a School Academic Conduct Officer and the procedure to be applied is UPR AS14, Appendix III, Section 5[5] for University and UK Partner Organisations and for non-UK Partner Organisations, UPR AS 13, Section 7[6].

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[4]   Refers to all summatively assessed examinations and coursework, including presentations, discussions and practice assessments
[5]   UPR AS14 Cheating, Plagiarism, Collusion and other Academic Misconduct

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APPENDIX 1

What would be considered a breach of confidentiality?

1)   The inclusion of names or materials in a student's work (including appendices) that would allow any individual to be identified. The exception to these includes:

   a)   Signatures of clinical staff that are required to sign official documentation in the practice placement areas.
   b)   Name of mentors/practice teachers/educators within the student's practice assessment documents/portfolio.
   c)   Acknowledgement of staff/family/friends/colleagues who have supported students in the workplace or university i.e. Dissertation acknowledgements.

2)   The inclusion of images/identification numbers/dates of birth/photographs/other privileged information that could lead to the identification of the individual being identified.

3)   Distribution/discussion or the exchange of any confidential information on electronic social networking sites.

4)   Information not in the public domain e.g. policies/procedures/guidelines/audits/leaflets are the property of the host organisation and if included removal of identifying information must occur.

        This information will need to be acknowledged *in the text* as: 'number of day's absence has exceeded threshold (Name withheld, 2015). In the *reference list* this will appear as NHS Trust. (Name withheld 2015). Sickness and Absence Policy.

If it is necessary to name individuals within an organisation then their anonymity must be preserved by changing their name to a fictitious one. The assignment must include a statement stating that this is the case and this must be referenced against the appropriate Professional, Statutory and Regulatory Bodies Code of Practice/Conduct.

What is not considered a breach of confidentiality?

In addition to a, b and c above the following is not considered a breach of confidentiality:

1)   The naming of an individual where the information cited is in the public domain .e.g. Harold Shipman, Sir Robert Francis.

2)   Information that is in the public domain that a student includes in their work. The student must make sure that this is cited in the main body and referenced in the corresponding reference list correctly.

3)   Where express permission has been given by an organisation that it is permissible to include their details. Evidence of this must be provided as part of the submission documents.

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[6]   UPR AS13 Assessments and Examinations (Undergraduate and Taught Postgraduate) and Conferments (non-UK Partner Organisations)

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