

Confidentiality Policy for Student Counselling Services

General Principles

The Student Counselling Services (SCS) are committed to respecting the right to confidentiality of all students. The confidentiality of the counselling/support relationship is fundamental. It is necessary both ethically and practically: without an assurance of confidentiality, many of those who seek help from the SCS would not do so. All information disclosed by students relating to a person's mental health will be treated as confidential.

Student records

Students' records are held electronically on a database which has been designed specifically for Counselling Services (Titanium Schedule) to hold confidential records. When an appointment is made a download of demographic information from the Student Information System is added to the student record. Information submitted by students at their first appointment is held on Titanium.

Once a student attends an appointment in the Services case notes are added to the student's electronic records by the relevant counsellor/staff member. Other relevant documentation such as referral letters, assessments, consent forms, support letters, etc. are also attached to the file.

Counselling Service files are not attached to any academic record within the College and are held securely and confidentially within the Service for a maximum of 10 years.

Access to Records

Confidential information in general will only be disclosed with the person's consent. It will only be accessed and/or 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. These are:

- (a) If there is a serious concern that there may be a threat to the safety or life of the student or others
- (b) If there are children (under 18) at risk, the Service in accordance with the Dept. of Children and Youth affairs guidelines will report the matter to the local social work department of the Child and Family Agency (Tusla) and/or An Garda Síochána
- (c) Such disclosures may be required as part of a legal process

All information held by College 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

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 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, it is important that staff clarify what the purpose is and who will be given the particular information, so that students can give their informed consent.

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 in College.

In some exceptional circumstances (risk to someone's life or criminal investigations) information may be given to appropriate third parties without the student's consent. This should always be discussed with the Director of the SCS. Where possible, staff should inform the student of their intended actions, however protecting the student's safety and the safety of others takes precedence.

Where there are concerns for the safety of students and others, a case conference may be called for all the staff involved to identify the most appropriate way of assisting all concerned and ensuring their safety.

Responding to requests for information from third parties

It is recognised that the majority of enquiries coming from outside the Student Counselling Services are usually based on a deep concern for the wellbeing of the student. There may be worried parents or concerned academics and other staff. It is natural that members of staff who refer students to the Services would wish to know whether or not the student in question has attended, but even this information is not something that we can disclose without the explicit agreement of our client. SCS staff will listen to, acknowledge and assist with these concerns. SCS staff will not disclose any information including confirmation of attendance without explicit consent from the students.

Again the only exception to this is if there is a risk to the student's safety and that of others. SCS staff will explain the basis for this non-disclosure; that it is based on respect for the student and the need to protect the confidentiality of the counselling/support process.

In particular, if students, staff or family members have reason to be seriously concerned about the safety of a student, it is important that they seek assistance from the Student Counselling Services, the College Health Service, Senior Tutor's Office or local GP.

Freedom of Information

The SCS 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. In relation to a record of a medical or psychiatric nature relating to a requester, the FOI decision-maker is permitted to refuse access where disclosure to the requester might be prejudicial to his or her physical or mental health, wellbeing or emotional condition but in such a case the requester must be advised that, if he or she wishes, access will be offered to a relevant health professional specified by the requester.

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.

Research and evaluation activities

All research and evaluation data is governed by professional and ethical guidelines. Data is anonymised and client confidentiality protected at all times.

The SCS also collect evaluation data from students using electronic evaluation forms. No evaluation information supplied by any individual student can be linked up to their personal notes, nor will it be

disseminated in any form that could possibly identify the student. Data from both the audit and evaluation programmes may be circulated across the Schools and in other public documents, such as research publications and annual reports.

Supervision (Internal and External)

Each counsellor is professionally required to have regular supervision, in which they reflect upon their work with their clients with an experienced and appropriately qualified supervisor. Client confidentiality is strictly preserved during supervision.

Service Contact with Students

Students are asked to give permission to the Service to use a current phone number, email or postal address on which they can be contacted. Great care is taken by Service staff to maintain confidentiality when contacting students via phone, email or letter. Students are officially alerted to the limitations of email confidentiality at their first appointment.

Professional Code of Ethics

In addition to these general principles the work of the Counselling Service is bound by a Professional Codes of Ethics. All student counsellors belong to one or more of the following;

- ICP (Irish Council for Psychotherapy)
- PSI (Psychological Society of Ireland)
- IACP (Irish Association for Counselling and Psychotherapy).

You can readily access the above professional codes in the following ways:

- Psychological Society of Ireland (www.psihq.ie)
- Irish Association of Counselling and Psychotherapy (www.irish-counselling.ie), ICP.
- By requesting paper copies directly from the Services.

Complaints Procedure

The Student Counselling Services have a complaints policy which is linked to other relevant college policies. Further information is available on the Student Counselling website at https://www.tcd.ie/Student_Counselling/about/feedback/.

Adapted from 'Mental Health Policy and Guidelines 2008' Trinity College, Dublin