



Highlands & Islands Students' Association  
Comann Oileanaich na Gàidhealtachd agus nan Eilean

# Confidentiality Policy

Highlands and Islands Students' Association (HISA) – Advice Service

## Policy Purpose

- 1.1 HISA Advice Service is committed to supplying a confidential advice service. All users of the service have the right to confidentiality to protect their interests.
- 1.2 Assuring confidentiality is necessary to maintain the credibility of the service.

## Conduct of the Advice Service

- 2.1 All HISA Advice staff must have a practical understanding of confidentiality concerning the service. Advice staff are responsible for making a note of this consent on the client's case notes.
- 2.2 In no instance shall a member of HISA staff advise a third party, including parent/guardian, if a student is attending UHI or has accessed HISA Advice Service, without the student's prior consent. Subject to what follows, no information about a client shall be given directly or indirectly to any third party who is not a member of HISA Advice staff, without that client's express consent to the disclosure of such information.
- 2.3 We reserve the right to discuss case trends and larger issues raised, where appropriate, and with the client's consent.
- 2.4 No information will be given to any external agency, including UHI, without the client's express consent unless the provision of such information is required by law. The advice staff may, however, decide that information should be disclosed without consent if in their judgement there is a safeguarding risk of immediate physical danger to the client or others.
- 2.5 Where Advice staff need to contact UHI staff on a client's behalf the client will be asked for either written or verbal consent. Consent via email needs to come via their UHI student email account. Only details essential to progressing a case will be shared, and only relevant

departments will be contacted. Staff will always keep clients informed about the actions they are taking on their behalf.

- 2.6 Clients must complete a Consent to Share Form (see Appendix 1) when a staff member needs to contact a third party outside of UHI. This includes private health providers, letting agents, Student Finance, and local authorities. All clients will be made aware of the confidentiality policy and when it will be broken before they discuss the nature of a confidential query.
- 2.7 Clients have the right to withdraw the above consent to data sharing at any time by informing us via email.
- 2.8 Where clients ask that no contact be made with certain parties this will be recorded and adhered to unless, in the circumstance where information supplied cannot be verified, or further information is sought, to supply accurate advice. In this situation, service may be withdrawn.
- 2.9 Clients have the right to see the information held on them by the Advice Service. Clients should be advised that requests must be made in writing to [hisa.advice@uhi.ac.uk](mailto:hisa.advice@uhi.ac.uk) or HISA, 3rd Floor, 1-3 Church Street, Inverness, IV1 1DY. A response will be provided within five working days.
- 2.10 Documentation will be kept secured for a maximum of six years after which time it will be destroyed using proper procedures in line with data protection legislation.

## Breaching Confidentiality

- 3.1 The Advice Service understands confidentiality means that no information about a client shall be given directly or indirectly to a third party without the client's consent except in the following circumstances:
  1. Conflict of Interest - Where HISA identifies a potential conflict of interest which necessitates informing one party that we can no longer act on their behalf this may draw attention to the fact that we are already acting on behalf of another party. In these circumstances, the compromised party will be informed of the breach and no further action will be disclosed.
  2. Where required to by Act of Parliament.
  3. Where required to by order of a Court of Law.
  4. Where an adviser believes there to be a substantial threat to life, either of the client or another person.
- 3.2 Where an adviser believes that there may be a need to breach confidentiality deliberately, they should inform the client and line manager and take the necessary steps.

## Death of a client

- 4.1 If a client has died, information relating to the records held by HISA should only be provided to the client's executor or personal representative. Where information is handed over a note should be made on the case file. This is not considered a breach of confidentiality.
- 4.2 If the police contact us for information related to a suspicious death, ideally staff should seek the permission of the executor or personal representative. However, if this person is unknown and it may have a negative impact on the investigation, information can be released with the best interests of the deceased in mind.

## Statistics and Reporting

- 5.1 The Advice Service is committed to the statistical recording of the Advice Service use to enable it to monitor the demand for the service and to identify any practical or policy issues related to the advice services.
- 5.2 It is the responsibility of advice staff to ensure that all statistical records given to third parties are produced in an anonymous form so that individuals cannot be recognised.

# Appendix 1

## Consent to Share

Highlands and Islands Students' Association – Advice Service

### Client Information

Student Number: \_\_\_\_\_

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Address: \_\_\_\_\_

Postcode: \_\_\_\_\_

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**I consent to The Advice Service contacting other relevant persons and agencies on my behalf for the purposes of assisting with my enquiry regarding:**

- \_\_\_\_\_
- \_\_\_\_\_
- I consent to the Advice Service releasing relevant information to other parties.
  - I consent to those relevant third parties releasing information about me to The Advice Service.
  - I understand that I can withdraw my consent at any time by contacting the service in writing.
  - I understand that The Advice Service will keep confidential case notes regarding my case and that these are available to me under the provisions of the Data Protection Act if I so wish.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Office Use Only:**

Checked by: \_\_\_\_\_ Date: \_\_\_\_\_

Added to case file:  Yes  No

<b>Policy Title</b>	Confidentiality Policy – Advice Service
<b>Approved by</b>	HISA Management Board
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<b>Responsible for implementation</b>	Elena Semple
<b>Responsible for interpretation</b>	Elena Semple