Sheffield Hallam University College of Health, Wellbeing and Life Sciences Confidentiality Policy

This policy should be read in conjunction with the University's policy on Use of Personal Data by Students

Contents

1. College Policy on Confidentiality
2. Guidance for Teaching and Mentoring Staff

(April 2011: revised 2013, 2015, 2017, 2019)

1. POLICY ON CONFIDENTIALITY

This policy aligns with requirements of Professional and Regulatory bodies (NMC; HCPC; ISPAL, Biosciences) within the College of Health, Wellbeing and Life Sciences. As such it applies to **all** students in the College.

Breaching confidentiality or ethics requirements is a form of academic misconduct. Serious and/or repeated breaches come within the remit of the Academic Conduct Panel (ACP). When considering a case, the ACP will follow the procedures outlined in the Cheating Regulations.

The maintenance of confidentiality when dealing with service users is a requirement for students on a health, social care, biomedical science or sport-related course in the College.

Confidentiality refers to ensuring the anonymity of:

1) service users and the privileged information about them and
2) the workplaces and organisations accessed by students working on placement

It is essential that confidentiality is maintained at all times, and especially in students' submitted assessed work as stipulated by the HCPC, the NMC, Social Work England, the Caldicott Principles(2013), the General Data Protection Regulation [GDPR] (2018), Data Protection Act (2018) and the Helsinki Declaration (1964-2013).

Information to Students

- All students will be informed of the policy during induction
- Any breach of confidentiality will be recorded in the student's personal file
- If a student has any queries about the inclusion of references to a service user or establishment they should seek the advice of their academic advisor

Examples of Breaches of Confidentiality

- Inclusion of names in the student's work (either in the main text or the appendices) that allows a service user to be identified
- References to a n organisation that could be linked to the student's placement activity that allows the site to be identified and therefore potentially the service user
- Students must be aware that there is the possibility of multiplicity when designing assignments, case studies or theses that may add up to allow identification of a service user or the service provided

- Using social networking sites or holding discussions that allows a service user or site to be identified

This includes:

- direct naming of an individual or organisation
- inclusion of documentation (original or photocopied) that links to privileged information
- inclusion of photographs of an individual or any aspect of an individual, such as a patient's wound or a service user's tattoo or piercing
- provision of information that could lead to identification of a service user or organisation e.g. dates of birth, hospital record numbers, addresses OR reference to unusual circumstances that can lead to identification of individuals or organisations

Integration into students' assessed work

- If the work requires the naming of an individual, their anonymity must be protected and the names changed to fictitious ones. There must be a statement stating that this is the case on the first page of the document.
- The name of the organisation must also be changed to a fictitious one if the work requires a link to the organisation.

Work that enters the public domain

- There are certain pieces of work that enter the public domain (theses etc.) that must follow absolutely the College guidelines re confidentiality.
- Students are advised to follow the advice of their supervisors on this matter.

Non-breaches of Confidentiality

There are certain instances during training when naming of individuals and organisations would not constitute a breach of confidentiality. These include:

- staff signatures on students ' official documentation
- acknowledgement of staff who have supported students in their work provide d their names only are used and not their designation or place of work
- naming of individuals or organisations where such information has entered the public domain
- where permission has been clearly granted that inclusion of details has been approved

Illustrative examples include:

- where inclusion is a stated course requirement
- where disclosure of the organisation within which a student works is necessary to the development of a community of learners on a distance learning module
- the inclusion of patient information leaflets which have entered the public domain
- in the writing of research proposals which necessarily identify the locations where the research will be carried out
- in the keeping of project files in which individuals and organisations will be named

Ethics Approval

This should not be included in the assessed work. However where it has been necessary to gain approval, the signature of the supervisor will be required to authenticate that the original has been seen.

The College has a process in place for ethical approval, which is a pre requisite for some NHS projects etc. Any assessment, whilst stating that ethical approval had been granted, would not include any details

Penalties
- The College regards a breach of confidentiality as of severe concern and not appropriate for a student on any course within the College.
- Any suspected breach of confidentiality will be dealt with according to the penalties for breaches of confidentiality procedures.

Other sources of information found on MyHallam:
1) Disciplinary Regulations
2) Student Fitness to Practice Regulations
3) Use of Personal Data by Students: Your Responsibility

2. GUIDANCE FOR TEACHING AND MENTORING STAFF
It is the responsibility of all teaching and mentoring staff to ensure that their students read the policy on "confidentiality" and that they are aware of the implications of confidentiality in the use of materials obtained from placements for teaching purposes. Staff are bound by the same codes of conduct as students in this matter. Thus materials used for teaching purposes must have documented service user consent and if necessary all personal details removed. Examples of these are X rays, videos, photographs and "real life" case studies

Annually staff must make sure that mechanisms are in place for all students to sign a consent form prior to participation in any classroom activities that might impact on their health and safety status or those of others

The following statements are intended to guide staff in managing the delivery of practical sessions and in identifying aspects of confidentiality in other situations

- Act professionally at all times and ensure that there is no discrimination against students, service users or peers on the basis of age, gender, sexual orientation, religion, race, ethnic background, lifestyle, dis/ability, health condition or economic status
- Ensure that the "Policy on Confidentiality" is available for students and that it is referred to
- Discuss confidentiality with students in teaching sessions and how students should use examples from practice in an appropriate manner
- Be aware of any health related issue s (medical conditions, disability, allergies , pregnancy) or relevant moral, cultural or religious beliefs. This could be through a learning contract or by personal communication. The dignity of all participants should be maintained at all times
- Explain any hazards, risks, precautions and contraindications of each practical session and indicate what constitutes appropriate dress before the class commences. Participants can be excluded if not appropriately attired or if they are under the influence of intoxicating substance(s)
- Practical sessions should be discontinued, without any prejudice, if a student is unable to take part and follow up action should be taken if there any untoward symptoms
- Remove all personal details from any evidence-based teaching materials
- Gain consent from participants if their work and/or recordings of the session are used in future for teaching, moderation or feedback, and anonymise wherever possible