



Faculty of Health Policy on Confidentiality

1.0 Introduction

The primary concern of this policy is the protection of an individual's identity by keeping information obtained through a professional relationship secure from any other person. Within the University individuals may be patients / clients / service users and carers, staff, other students or practice partners. Every precaution must be taken to avoid referring directly or indirectly to any individual in a way that could lead to their identification by a third party.

2.0 Confidentiality

Confidentiality commonly encompasses issues of anonymity, sensitivity and privacy, based on a foundation of mutual trust, respect and professional behaviour. It is central to the relationship between you, as someone who is learning to be a professional, and the service user.

During your programme of study you will be looking at individual case studies to enable you to learn more effectively. As such you will encounter confidential information throughout your learning journey and especially when you are out on placement. It is essential therefore that you strive to adhere to the principles of best practice articulated within this policy.

2.1 Codes of Conduct

It is a fundamental requirement that you and your fellow students who are preparing for a career in health and social care should act in a professional manner respecting confidential and sensitive information and adhering to relevant Professional Codes of Conduct / Ethics. This requirement encompasses all aspects of academic learning, practice work, professional life, and areas of personal and social life. You should familiarise yourself with the Faculty of Health's 'Guidance for Students' with reference to the profession that you are studying for.

3.0 Learning and teaching environments

Discussing placement learning experiences will be of immense value to you, especially in helping you to put theory into practice. Whilst confidential issues may be discussed in situations where boundaries are controlled regarding one to one relationships, you should recognise that this needs to be balanced against the protection of others. You should be constantly aware of the requirement for confidentiality.

3.1 Student Induction

During your induction process, your Programme Director will discuss the importance of maintaining confidentiality and sign-post you to this policy which can be found on the Quality link on iCity.

You will also be informed of the standards that are relevant to your programme from a Professional, Statutory or Regulatory Body. This will underline, in profession specific terms, the importance of confidentiality in learning opportunities and social settings.

During induction to placement learning Mentors / Practice Teachers / Assessors / Supervisors will reiterate the importance of maintaining confidentiality and provide you with access to the organisation's Policy on Confidentiality.

3.2 Modules of Study

Module Co-ordinators should set ground rules for you at the start of each module where discussion of placement experiences may be involved. These ground rules should include the use of anonymity regarding names of individuals.

When academic and practice staff are using situations from placement areas, they must observe the same confidential stance as is expected from you.

3.2.1 Users / Carers / Specialist Lecturers

Where service users, carers or specialist lecturers are invited to facilitate your learning experiences, the policy 'Preparation and Induction of Service users / Carers / Specialist Lecturers in the Learning Experiences of Students in University' must be adhered to. This underlines the importance of compliance with the policy, so that individuals cannot be identified.

3.3 Recording lectures and discussions

Sharing experiences in learning and teaching is also governed by the need to maintain confidentiality. Some students may benefit from being able to record lectures because they require reasonable adjustments. However, there are three aspects of importance that you must adhere to in relation to recording lectures and discussions:

1. The content of recorded sessions remains the property of the person delivering it. Therefore, you must not make any use of the content in such a way as to compromise the intellectual property rights, copyright law or the confidentiality of any material designated as such by the person delivering the session;
2. Recorded sessions must be used solely for your own academic study. The recording should not be reproduced or passed on to anyone else, other than for personal academic transcription purposes;
3. Where personal experiences are being discussed in learning and teaching opportunities, it may be inappropriate to record the material, since allowing the recording of such experiences may risk breaching third party confidentiality. Academic staff may therefore ask you to turn off recorders for the purpose of a particular discussion.

3.4 Using Evidence to support academic and practice assessments

Your use of confidential information can vary, from an analysis in a piece of academic work, to providing evidence to support the achievement of your competences and standards in practice.

If you wish to include copies of official documents of any sort in academic and practice assessments you must be certain that these are appropriate, available in the public domain and necessary to support your work. You must always ensure that when documents are used that relate to individual circumstances, there is no possibility that the individual(s) can be identified.

When you submit academic work for assessment, you sign to state that the work is your own, that confidentiality has been maintained, and that any names used in the work are pseudonyms. It is good practice for you to state at the outset of your work that pseudonyms have been used.

You will be provided with access to the Faculty's Referencing Guidelines on appropriate ways to cite and reference sources of information. These are also available in the Library.

3.4.1 Exceptional circumstances

There may be rare occasions where removal of the identifying information of a situation or place would probably compromise the essence of the topic. In such a case, you should discuss the situation with the Module Co-ordinator before using the information to support your work.

3.5 Failing an assessment through breaching confidentiality

If the identity of patients / clients / service users / carers, staff or other students can be identified in any part of your work, this will be treated as a breach of confidentiality.

If names of individuals or organisations used in assessments are not available to the general public, the work has also breached confidentiality.

All assessed work which is deemed to have breached confidentiality will be second marked. The markers will reach an agreement as to whether confidentiality has been breached. The names of both markers will appear on the feedback sheet.

Assessments that have breached confidentiality will receive a mark of 1%.

However, in each case, the assessed work will also be given an indicative mark and appropriate feedback to ensure you know the value of the work apart from the confidentiality breach.

It is your responsibility to work with the marker to ensure that the breach of confidentiality is removed before the work is re-submitted. Success in the re-submitted work will be subject to capping, as for any re-submission.

4.0 Confidentiality outside of the learning experiences

The obligation to maintain confidentiality is not restricted to academic or practice learning as it relates to all written, electronic and spoken communication. It also encompasses all personal and social networking. For further information you are recommended to visit the website of your professional body to get the most up to date information on codes of conduct

4.1 Electronic social networks and blogs

Social network or blog sites should not be treated as “private”, and you are advised not to discuss learning experiences that may breach confidentiality.

You must adhere to the following principles

- Keep your personal and professional life separate as far as possible, and protect your own privacy. Remember that the more your personal life is exposed through social networking sites, the more likely it is that this could have a negative impact upon your professional life.
- Act responsibly at all times and uphold the reputation of your profession. Think through what kinds of information you want to share and with whom, and adjust your privacy settings accordingly.
- Never post images or video recordings from learning experiences that could identify patients / clients / service users and carers, staff, other students, practice partners or placement areas.
- Do not use social networks to build or pursue relationships with patients and service users, even if they are no longer in your care. If you receive a friendship request from a current or former patient, Facebook allows you to ignore this request without the person being informed, avoiding the need to give unnecessary offence.
- Do not discuss work-related issues online, including conversations about patients or complaints about colleagues. Even when anonymised, these are likely to be inappropriate.
- Do not use social networking sites for raising and escalating concerns about learning experiences or placement areas (commonly referred to as whistleblowing).
- Remember that everything you post online is in the public domain, even with the strictest privacy settings. Once something is online, it can be copied and redistributed, and it is easy to lose control of it. Presume that everything you post online will be permanent and will be shared.
- If you find yourself the target of complaints or abuse on social networking sites block them from your friend list and from interacting with you. Most sites will include mechanisms to report abusive activity and provide support for users who are subject to abuse by others.
- If you are very concerned about someone else's behaviour online, you should take steps to raise your concern if necessary with the Director of Student Governance. In the most serious circumstances, for example if someone's use of a social networking site is unlawful, you should also report the incident to the police.

4.2 Mobile phone communications

You are advised that photographs, videos and audio recordings of learning experiences, including placement learning opportunities must not be taken with mobile phones, without explicit consent, as this would also breach confidentiality.

4.2.3 Conversations and sharing documentation with other students and friends

You are reminded that conversations, or sharing documentation outside of learning and teaching experiences including placement learning, with other people about

patients / clients / service users and carers, staff, other students, practice partners and placement areas, are, by definition, a breach of confidentiality.

5.0 Breaching Confidentiality

You should be aware that you may be called to account for any communications outside of the learning and teaching environments which could be considered unethical or unprofessional where confidentiality has been breached. If you breach confidentiality in these circumstances you may be referred to a Disciplinary or Fitness to Practice Panel.

6.0 Whistle blowing / Escalating Concerns

Although you have an ethical and professional duty to respect all confidences, the exception to this is any situation where there are acts or omissions that would lead to the detriment of vulnerable adults or children, carers, staff, other students or practice partners. In such a case, the issue must be addressed through the appropriate whistle blowing policies in Faculty, University and practice placement learning.

7.0 Student information

Academic, administration staff and practice partners must also maintain, where appropriate, your confidentiality. Upholding your confidentiality applies not only to confidential information from their files, but also to verbal disclosures and the dissemination of assessment results.

8.0 Quality Monitoring and Enhancement

This policy will be reviewed annually by the Centre for Academic Quality and Student Governance and School of Professional Practice in communication with the Associate Dean (Academic Development and Quality Enhancement).

The amended policy will be submitted to the Faculty Academic Standards and Quality Enhancement Committee (FASQEC) for review and approval. Faculty Board will also receive the policy for review and approval for implementation in the Faculty of Health.

Centre for Academic Quality and Student Governance
School of Professional Practice

Birmingham City University's commitment to equality means that this policy has been screened in relation to paying due regard to the general duty in relation to the relevant protected characteristics, the use of comprehensible, inclusive language, and the avoidance of stereotypes. This document is available in alternative formats on request.

Equality Assessment completed on 10.8.12