



School of Medicine, Fremantle

CONFIDENTIALITY POLICY

Purpose: To outline the School's commitment to protecting the privacy of its students

Contact: Head of Student Matters

Approval Date: 24 November 2015

Modification History: Developed November 2015
Updated August 2018

Applicability: School of Medicine, Fremantle

Introduction

The Confidentiality Policy (Policy) outlines the School of Medicine, Fremantle's (School) commitment to protecting the privacy of its students.

Background

The University of Notre Dame Australia has a [Privacy Policy](#) and [Staff Code of Conduct](#).

The University will not disclose a student's personal information except under the circumstances outlined in the *Privacy Policy*.

The University's *Staff Code of Conduct* states that staff must take reasonable steps to protect and not disclose confidential information, in particular:

1. Any information pertaining to the operations of the University; or
2. Any information relating to students or staff members.

Staff members are required to respect others' rights to privacy and must maintain the integrity, confidentiality and privacy of any information concerning other staff members or students provided to them in the course of their employment. Accessing, collecting or disclosing confidential information is only allowed where that disclosure is authorised by an appropriate officer of the University or required by law. Staff members are made aware that the obligations placed on them not to disclose confidential information continue to apply to them following the termination of their employment with the University.

Confidential information includes:

- Information entrusted to the University such as student or staff member details;
- Information produced by the University such as academic records of students;
- All non-public information where disclosure to third parties may not be in the best interests of the University or of the University community.

Application

The School of Medicine, Fremantle has developed this Policy to further protect the privacy of its students.

Confidentiality is the obligation not to disclose willingly any information obtained in confidence.

Confidentiality is very important to establishing and maintaining a strong staff-student relationship.

Within a large institution a lot of personal data changes hands and it is important that every individual who handles this data takes all reasonable steps to ensure it is secure and only shared on a need to know basis. This policy specifically covers the data handled by the School's staff and the Head of Student Matters.

There are two key principles underpinning this Policy:

1. All staff are expected to treat personal disclosures sensitively and with respect so that a relationship based on trust can be developed and maintained. This will encourage students to come forward and seek help.
2. Student consent should be sought whenever the need arises to share information. Agreement should be reached on:
 - a. the reason for sharing the information with others;
 - b. who the information will be shared with, and
 - c. the manner in which the information will be presented.

Sharing of information

Students should be informed that personal information regarding academic performance, attendance and professional behaviour will only be shared between academic staff on a need to know basis. Members of staff involved in managing academic performance and professional behaviours will discuss with students who else should be informed, what they should be told and who should pass on that information. The staff member will subsequently only make such disclosures as have been agreed with the student.

Student information that relates to an individual's physical and mental health or private life is classified as sensitive personal data. Staff must get the student's consent before releasing this information to other staff. Students should be made aware that it can be in their best interests for staff to work collaboratively when considering a student's support needs.

Staff should obtain consent prior to disclosure of information.

Circumstances in which personal information is not kept confidential

The School's standard response to inquiries about students is that information cannot be disclosed without that student's authority. This also applies to inquiries from parents and other family members. There are however circumstances where staff may release personal information:

- **When it is considered to be in the best interest of the student.** This will include where the student is perceived to be at risk or where there is a serious risk of harm to others. The decision to release this information without consent should be made by the Dean (or delegate).
- **In the event of a critical incident.** It is recognised that there may be occasions, like critical incidents, when consent cannot be given by the student and the staff member is not expected to obtain the consent. On these occasions, if it is in the best interests of the student or the public then personal information may be disclosed in order to achieve the best outcome. This will be carried out in line with the University's [*Policy: Management of Critical Incidents*](#).

Safeguards

The School will take the following measures to ensure confidentiality:

- Provide a confidential setting in which to have a discussion with the student.
- Provide reassurance to the student that the information shared will be dealt with confidentially and appropriately
- Ensure that student documentation is stored securely
- Confidential information is not discussed where it could be overheard by others

Head of Student Matters

The Head of Student Matters is governed by the incumbent's professional code of ethics. Only the Dean will have access to the Head of Student Matter records if requested or in an emergency.