

## **Advice and Counselling Service**

### **Information for Students on Data Protection and Confidentiality**

#### Data Protection Privacy Notice for users of the ACS

This privacy notice explains how the Advice and Counselling Service at [Queen Mary University of London](#) (QMUL) collects and uses [personal data](#) of its users. Your personal data will be processed in accordance with our [Data Protection Policy](#) and this statement.

#### **Personal data**

We ask for your consent to record and use your personal data. It is essential for us to keep details about you and your sessions with us so that we are able to offer you the best support. When you contact us for the first time we create a case file for you. Using your name or Student ID no. we access information about you from MySIS, including contact details, age, gender, course details, nationality and fee status. Ethnicity and disability information is only used for statistical monitoring. We keep information on number of appointments attended too.

When you attend an appointment we will also add to your record confidential case notes documenting these. These notes record information such as:

##### Welfare Advice

- background information
- dates of appointments
- issues raised by you
- advice and information given by your adviser
- agreed action to be taken
- details of follow up action
- copies of relevant correspondence

##### Counselling

- background information
- dates of appointments
- issues raised and worked on in sessions
- points of concern and action taken
- copies of relevant correspondence

If you do not want us to keep notes about you, we will only be able to offer you one session. This is because our professional requirements make it essential for us to keep notes on clients. If we cannot offer you the sessions that you need, we will refer you to another service or agency. At any time, you have a right to withdraw your consent. If you wish to do so, please contact us, but please note that this will mean that we will not be able to continue to offer the service you have requested.

#### **Access to Personal data**

You have a right to see the personal data that we keep about you. If your notes contain references to other people, this information will not usually be available to you, as protection is also granted to third parties. When we show you your notes, we will talk to you about what is in your file and why. Some notes are in shorthand and may need explaining. Changes to notes cannot normally be made. If you want to see your file, ask the staff member that you usually see. Please give us two weeks' notice if you want to see your file.

## Monitoring, Statistics and Reports

For the purpose of service development issues the Advice and Counselling Service keep statistical records on gender, ethnicity, disability, number of appointments and on the kind of advice or counselling provided. Any reports for QMUL use or external agencies are made anonymous and do not contain clients' details.

## Retention

In line with legal requirements, Welfare Advice case files are kept for 6 years and Counselling ones for 5 years from the date of the last interaction. After this time they are deleted from our system; anything physical is securely shredded.

For further information, including on your rights, please see <https://www.qmul.ac.uk/privacy/> and/or contact the [Data Protection Officer](#)

## Confidentiality

The Advice and Counselling Service works within a strict code of confidentiality so that any information about you and your contact with us is kept confidential to the Service<sup>1</sup>. The fact that you have attended appointments at the Advice and Counselling Service, and anything discussed during appointments, will not be passed to anyone outside the Service without your permission<sup>2</sup>. This includes any information that you may give us regarding your immigration status in the UK. The Advice and Counselling Service is separate from all other departments at Queen Mary who have a duty to report on students' attendance and compliance with the immigration rules to the UK Home Office. In some rare situations we may need to break confidentiality even when we are unable to get your permission to do so. These are when:-

- We would be liable to civil or criminal court proceedings if the information was not disclosed<sup>3</sup>
- We believe that you or someone else is in serious danger<sup>4</sup>

In these situations, we will always attempt to contact you first to get your permission to pass on the information, or talk to you about passing the information on yourself. If this is not

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<sup>1</sup> The Advice and Counselling Service consists of specialist staff (counsellors, welfare advisers and psychiatrists); administrative staff (frontline and other administrative staff) and external consultants. For the purposes of our Confidentiality Policy, the Service also includes QMUL's Mental Health Advisers, based in the QMUL Disability and Dyslexia Service. Administrative staff have access to information about you to allow them to perform their administrative duties. Specialist staff, who you will see for appointments, will share information about you between them to ensure that your needs are fully understood and met. Specialist staff engage in professional supervision to discuss their client work. This may be with external consultants. This is done anonymously whenever possible. From time to time specialist staff will attend courses or meetings where they may present case material, which is anonymous, as part of their professional development.

<sup>2</sup> This includes friends, family, academic and other QMUL staff outside our Service.

<sup>3</sup> We are not obliged to break confidentiality if we learn that a crime has been committed or is planned – and will not normally do so unless you or someone else is in serious danger – see below. However we can be compelled to give evidence in court or produce case notes in certain situations, although this is rare and we will decline involvement where possible.

<sup>4</sup> The most usual cause for disclosure is when a student is at risk of suicide or appears to have lost the ability to act rationally in taking care of themselves or others. Less common reasons might be if we learn about the possibility of planned individual violence; intended acts of terrorism; safeguarding issues or any other clear possibility of serious harm to anyone.

possible, we might pass on the information ourselves, but only in the very rare and limited circumstances listed above.

### **Liaison and correspondence**

If you have agreed to us communicating with someone outside the Service about you, we will agree with you first what information can be discussed. If we are writing to someone outside the Service on your behalf, we will normally offer you the chance to approve the letter before it is sent. Sometimes, we will ask you to complete a disclosure authorisation form if we are dealing with an external agency on your behalf.

### **Security**

All the computers, the system we use, any lists and individual files containing personal information are all password protected. E-mail correspondence is printed and kept on file where necessary and deleted from sent files. Notes and records are kept securely locked within the Service. These can only be accessed by staff employed within the Advice and Counselling Service.

### **Codes of ethics**

Counsellors comply with the British Association for Counselling and Psychotherapy Code of Ethics and Practice. Copies of this are available from the Service. Psychiatrists are governed by the NHS and Psychologists are governed by the British Psychological Society.

Welfare Advisers comply with government regulation on immigration advice, and a range of professional requirements and competency frameworks for other areas of advice work.

Welfare Advisers at Queen Mary are regulated under OISC guidelines to give immigration advice. The OISC (Office of the Immigration Services Commissioner) is an independent organisation that monitors immigration advice and services. Advisers have to attend regular training to be able to do this.

### **Complaints**

If you feel unhappy about the way in which the Service has managed issues regarding confidentiality and data protection you can register these using the Advice and Counselling Service Complaints Procedure, a copy of which is available from our reception, or on our website [www.welfare.qmul.ac.uk](http://www.welfare.qmul.ac.uk) Alternatively, if you wish to complain about immigration advice, you can complain directly to the OISC. Their complaints form is on the website at: [www.oisc.gov.uk](http://www.oisc.gov.uk)