

# ROBINSON COLLEGE

## CONFIDENTIALITY STATEMENT



### Introduction

The College cannot promise to maintain absolute confidentiality because, if students or other individuals are in danger, further help may need to be sought. Information may also need to be shared where legal or safeguarding obligations apply.

### College Tutorial Team

The College Tutorial Team consists of the Senior Tutor, the Tutors, the Tutorial Office Staff, the Wellbeing Team, the College Dean(s), and the Head Porter. The College Tutorial Team works to provide and coordinate student support and so student needs may be discussed among the team. Nonetheless, confidentiality will normally be maintained within the College Tutorial team on a strictly need-to-know basis. Directors of Studies may also be involved in the discussion of student welfare, as on occasion may senior College Officers. Again, information will be shared with them on a need-to-know basis

The Wellbeing Team and the College Nurse keep appropriate confidential records on a secure online system called Cliniko. It can only be accessed by members of the Wellbeing team and does not go on any other type of permanent file. Any information shared during consultation with the College Nurse is treated in the strictest medical confidence and will not be shared with your consent or co-operation. The College Nurse's Data Protection Statement is in Appendix 1 of this document.

It is important to note that other staff members of the College, such as Porters, Housekeeping Staff, Tutors and Directors of Studies are not expected to maintain confidentiality where there is a concern and are instead asked to report any concerns to the Senior Tutor or Wellbeing Team as may be appropriate. Such information will always be treated with discretion and sensitivity. More information about the Wellbeing Team's approach to confidentiality can be found [here](#).

## The nature of confidentiality

Disclosure to any party or parties external to the College Tutorial Team (e.g. the wider College and Collegiate University, including Faculties and Departments, the University Counselling Service, the Disability Resource Centre, the Police, or other government agencies etc.) would normally only be made where:

- a) The student has explicitly consented; or
- b) There is clear risk of imminent and serious harm to that student or to others such that a duty of care outweighs the duty of confidentiality; or
- c) There is a legal obligation to do so.

## Duty of care, and imminent and serious risk of harm

The College may owe a duty of care to a student or others that cannot be discharged unless action is taken on information provided to it by a student in confidence. Such a duty of care may well override any obligations regarding confidentiality where there is an imminent and serious risk of harm to the individual or to others. This will include consideration of whether the risk of harm is actual or probable (not just 'possible'), and whether that harm would have a substantial and significant detrimental effect on the individual's or another's physical, psychological or emotional wellbeing.

## Consent to disclose

It is considered best practice, if reasonable and practicable, to seek the student's consent to share information about them with another party before doing so, even if a breach of confidentiality without consent is justified. A record of any disclosures and consent will be made together with any withholding of disclosure to family members.

## Relevant professional guidelines on confidentiality

As mentioned above with regards the College Nurse, it is important to note that certain health and welfare professionals will be bound by particular confidentiality obligations imposed by their regulating body or institution and whilst it may be justifiable for the College Tutorial Team to share information with them in their professional capacity to support the resolution of a student issue, they may not be able to reciprocate in the sharing of information owing to professional limitations. Professionals may include GPs and Nurses, the University Counselling Service and the Students' Unions' Advice Service.

## Disclosure to a law enforcement agency as part of an investigation

The College will disclose confidential information to the police or another public authority where disclosure is required by law, including pursuant to a court order or other compulsory process. In other cases, where a public authority requests confidential information, the College may accede to the request where it considers that disclosure is lawful, necessary and proportionate for the prevention or detection of crime, the apprehension or prosecution of offenders, or another purpose permitted by law.

## Contact with Families

Students aged 18 or over are legally independent adults. Unless the student is experiencing a serious health crisis (see below), the College will not ordinarily share any information about a student with a student's family, legal guardian or next of kin without the express consent from the student. This includes confirming whether the student is a member of the University or the College.

## Disclosure in a crisis

Notwithstanding the section above, a serious health crisis will ordinarily necessitate the Senior Tutor (or other member of the Wellbeing Team) informing the student's nominated emergency contact. If possible, consent will be sought from the student prior to such contact being made. For more information about how such issues are handled, see the Students in Crisis Procedure ([here](#)).

## Communicable Disease Outbreaks

Whilst confidentiality in the provision of medical care is recognised as being in the patient's interests, there can also be an interest in disclosing personal sensitive information to protect individuals or society from the risk of imminent and serious harm, such as from communicable diseases. The College will engage with the relevant University departments (notably the University's Communicable Diseases Sub-Committee and Helpdesk) in accordance with the University's guidelines for managing such incidents or outbreaks. For more information, see [here](#).

## Harassment and sexual misconduct

The College has a Harassment and Sexual Misconduct Policy, which can be found [here](#).

## PREVENT Statutory Duty

The Collegiate University has a legal responsibility in relation to the Counter Terrorism and Security Act 2015 and the Prevent Statutory Duty (see [here](#)). If the College has a significant concern that a

student may be particularly susceptible to radicalisation, a decision may be taken to report concerns, in line with the University’s ‘Procedure for raising a concern’ (see [here](#)). Wherever possible, the consent of the student concerned will be obtained in advance of any referral for support. If the College identifies a student who may already be engaged in terrorist-related activity any such suspicions will be referred directly to the police.

## Breaches of Confidentiality

Students who wish to raise a concern about the way their personal, sensitive information has been handled and to allege any breaches of confidentiality in respect of a Tutor or Tutorial Office staff, or another College Tutorial Team member should follow the College’s Procedure for Formal Complaints ([here](#)).

## Data Protection

The College also holds personal data about our students (and potential students), Fellows, employees, clients, suppliers and other individuals for a variety of purposes. That data is held in accordance with the terms of the Data Protection Act 1998, the General Data Protection Regulation 2016 and the College Data Protection Policy ([here](#)).

**Senior Tutor**

## Document Control

|                          |                             |
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| Document reference       | REG-002                     |
| Document title           | Confidentiality Statement   |
| Version                  | 1.2                         |
| Approval authority       | College Council CM/2025/285 |
| Approval dates           | 21 September 2026           |
| Policy commencement date | 27 September 2024           |
| Next review date         | 21 September 2028           |