



Confidentially Statement & Duty of Care Policy

Student services offer a confidential service to all students. Any information that is shared on a confidential basis will remain confidential to that team unless there is threat to the student's wellbeing, in which case discretion will be applied and if required, a third party independent advisor may be sought.

What is confidential information?

Confidential information is any information to which the common law duty of confidence applies. A duty of confidence is created when private information has been passed on in such a way that the person receiving the information was aware, or should have been aware, that the information was being imparted on the basis of confidentiality.

Student Personal Data

In line with our Data Protection Policy we recognize that our employees have access to personal student data and we identify the need to treat this information in an appropriate and lawful manner.

During the course of our training administration activities we will collect, store and process personal information about our students. The information, which may be held on paper or on a computer or other media, is subject to certain legal safeguards specified in the Data Protection Act.

Sensitive Personal Data

The Data Protection Act only applies to personal information. The Act does not define confidentiality but does define 'Sensitive Personal Data'. This is information relating to a living, identifiable individual about one or more of the following. His/her:

- racial or ethnic origin;
- political opinion;
- religious or similar beliefs;
- Trade Union membership;
- mental or physical health;
- sexual life;
- offences or alleged offences;
- Court or prison records.

Student Records

Each team member who has contact with students will keep records of appointments or conversations in accordance with their professional judgement, both paper and electronic records are and remain property of CAE.

CAE use one main shared database to record data and training activities with individual services. All



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information held by CAE is processed according to our own Data Protection Policy and in line with the Data Protection Act 1998.

Duty of Care

CAE has a duty of care to protect its staff and students from harm, as far as practicable and foreseeable. This duty of care extends to directing those in need to the appropriate support services and to encouraging them to take up the support available, including that from their friends and family, if appropriate. It would also extend to an appropriate level of follow up with the person.

With a student's agreement, staff can refer a student to the Counselling Service, for example, but the Counselling Service will not pass information about the student's subsequent attendance back to the member of staff who referred the student. This does not mean that the member of staff cannot ask the student themselves – but the student is not obliged to tell them. Please refer to Student Well Being Policy in this respect.

Getting advice on confidential matters

It is often possible to discuss cases and seek advice without identifying the individual to whom the information relates. As long as appropriate care is taken to anonymise the case, or the case is discussed in the abstract and it is not obvious to whom it relates, then the confidence has not been broken.

For example, a personal tutor is told in the strictest confidence by one of his tutees that she cannot sit an examination because of treatment for a medical condition. Without having to reveal the identity of the student, the tutor can make enquiries about the academy's regulations and the extent of any disclosure that might have to be made if a student wishes to be recorded as absent with good cause. The tutor may also be able to make enquiries about sources of support relating to the medical condition without identifying the student.

A completely independent mediator is nominated by the school and can be arranged on request.

Breach of Confidentially

If you believe that confidential or sensitive personal data has been mistreated please adhere to the student complaints procedure and or address your concerns directly with the relevant schools Data Protection Officer.