

Statutory Responsibility

1. Staff must not disclose personal information about students, former students or applicants to anyone outside the College, including parents or guardians, without the written consent of the individual concerned. However, information may be disclosed to third parties where there is a risk to an individual's vital interests, such as in an emergency. Use of nominated contacts in an emergency is covered in section 7 of this document.
2. Students over the age of 18 are legally adults, and students under the age of 18 are also legally entitled to confidentiality. Where the College is approached by a third party requesting information about a student, they must be treated with courtesy, tact and diplomacy but the student's right to confidentiality must be protected. It may be appropriate to inform the student that a third party has contacted the College, but no personal information can be disclosed without the express permission of the student concerned.
3. In general, students are expected to act on their own behalf when dealing with offices and departments within the College, and when requesting services or making complaints. Third parties should not normally be allowed to make requests, or otherwise act on behalf any student unless they hold a power of attorney. Third parties should not be regarded as the sponsors of students, even if they are paying fees and other charges.

Staff with pastoral care responsibilities

4. It is essential that students are able to explore personal matters in confidence. In the cases of the Counsellors, Chaplains and GP Surgery, strict professional codes of conduct would guide any disclosures of information. Other members of staff working in pastoral roles should not disclose information to third parties without a student's written consent.

Responsibility of academic departments

5. Departments keep records about students including those on attendance and progress. These records are confidential to the students and the College. Departments should ensure that such information is kept securely and its confidentiality respected.

Responsibility of Personal Tutors

6. Personal Tutors who are worried about any issue in relation to their contact or discussions with a student may discuss their concerns with their Head of Department, or the appropriate professional services department. Personal Tutors / Advisers may not discuss any issues concerning a student with a third party without the express written permission of the student.

Emergency Contact

7. All students are required to provide nominated emergency contacts during their enrolment. Permission from students will always be sought by appropriate College staff to utilise these contacts unless this is not possible due to a medical or some other form of emergency. In such circumstances where it is necessary to protect the vital interests of the students, staff will exercise their judgement in balancing the needs of confidentiality and the wellbeing of the student(s) concerned.

Exchange Students

8. Contact with third parties must be made only with the written consent of the student. An exception, however, is made in the case of a student on an exchange programme, where the transfer of academic information to the student's home institution is integral to the programme. This transfer must be made within the terms of the Data Protection Act 1998.

Disabled Students

9. It is recognised that contact with third parties may be necessary in order for the College to support some disabled students. The principle of obtaining the student's permission still applies, and written permission for contact with third parties should be recorded within the student's file maintained by the Disability team.

Statutory Exceptions

10. Under the Data Protection Act 2018 and the UK GDPR the College may release, or may be obliged to release the personal data of its students in instances where it is requested for the purpose of safeguarding national security, for the purpose of the prevention or detection of crime, to enable the apprehension or prosecution of offenders or in the assessment and collection of any taxes and duties. Before releasing any information, the College will ensure it is being provided to a genuine and properly authorised investigation or agency and may from time to time put in place agreements with specific agencies to ensure this process is robust and efficient.

First issue September 2017

Approved by Planning and Resources Committee

This review May 2021

Appendix 1 – Guidance on the responding to requests for information from third parties:

Due to Data Protection legislation employees of the College that have access to data about a student must never disclose information to a third party regardless of their familial relationship, marriage or any financial agreement. This includes communication written or verbal that may confirm by assumption the relationship of the student to the College for example that a student is registered at the College.

1. What should you do if you are contacted by a parent/guardian/spouse or other third party requesting information about a student of the College for which you have access to data through your employment at Royal Holloway, including applicants, alumni and students on interruption?

a. Written requests for information

Individual departmental and professional services teams may wish to put in place processes of escalation to allow team leaders to manage standardised responses. Below is a suggested response:

Dear xxxxxxxx

As an employee of Royal Holloway I am unable to provide any information relating to any student due to data protection legislation. This extends to whether or not they are registered at this University. Financial sponsorship or payment of tuition or accommodation fees do not override this legislation.

The only circumstances where we would provide information is with explicit written permission from a student from their student e-mail account stating that they give Royal Holloway permission to release information relating to their registration or studies at Royal Holloway, what information is to be released and to whom this can be released to and via what means (e.g. email address).

I'm sorry I am unable to assist you further as there is no relevant authority that can override the data protection legislation.

If the communication suggests that the wellbeing of the student is compromised please add this additional text and notify the wellbeing team immediately:

If you are concerned that an individual's wellbeing may be at risk, the most appropriate way to direct this communication is to the College's Wellbeing Department who are experienced in supporting students. Contact details for the wellbeing department are supportingyou@royalholloway.ac.uk, (further information can be found on the College's website).

For immediate serious concerns regarding the safety and vital interests of a student the emergency services are the most appropriate contact, the College's security team should also be alerted on 01784 443888.

b. Request over the telephone

Phone calls from parents/guardians/spouse or other third parties should be treated in the same way as written requests. Use the statement above to respond to the person requesting the information. You should attempt to end the phone call as soon as possible, extended conversation can increase the risk of an inadvertent disclosure.

2. Written Consent

Consent to share data with a third party must be received in writing from a student's College email account. Requests from personal accounts should not be accepted – this is to help ensure the identity of the sender.

- A student may give consent for the College to release information so long as the following is provided:
- Clearly stated permission for the College to release information
- Named individual(s) who will be free to receive information
- The agreed methods of communication and the appropriate contact details (email address, telephone number)
- Categories of information that may be released e.g. enrolment, academic standing, conduct etc.
- A time period for which the consent is valid (if this is unclear, no consent should exceed 12 months)

3. Record of consent

Any emails documenting consent from a student for the College to release information to third parties should be forwarded to supportingyou@royalholloway.ac.uk where they will be stored electronically.

If staff are unsure of the currency of any consent to release information they should contact supportingyou@royalholloway.ac.uk

Frequently Asked Questions

Should third parties attend meetings with students?

In general, for routine or informal academic and/or advisory meetings it would be inappropriate for a third party to attend. If a student wishes a third party (e.g. a parent) you can reasonably request to be asked in advance, given notice and written consent to speak freely in front of the third party.

Under formal procedure, such as conduct or assessment offense hearings, students will be given specific notice and informed who they can be accompanied by.

Can a third party represent a student?

In general terms, no – although there may be rare circumstances under which a student nominates an individual to act in their stead, this requires a fully documented release and must be completed in consultation with the Secretariat.

What if a student is under 18?

Generally, consent will still be required in the same way as for adults. Details on how guardians are nominated and how the College puts in place support for Under 18s can be found on these [web pages](#).

What if I think it's important that a parent or third party know something?

Whatever sympathy you may have with the third party you must not disclose any information. If you believe that the vital interests of a student are at risk (life or death) then you should contact the wellbeing department during office hours or the College security emergency number outside of hours for advice.