Disability Learning Support Consent and Disclosure Statement

What is the legal context? Our duties under the General Data Protection Regulation (GDPR) and the Equality Act 2010

The University of Westminster takes its data protection very seriously and access to your personal information is subject to a confidentiality agreement. Access to your information is limited by system permissions to only those academic and Professional Service staff who need access to this information in order to comply with their duties under the Equality Act 2010 – namely, put in place reasonable adjustments and support so that you have full access to all the academic and non-academic opportunities that the University of Westminster offers all its students.

For our full Fair Processing/Privacy Statement as it related to of the General Data Protection Regulations (GDPR), please see Appendix A of this document.

What does this means in practice?

We respect your right to confidentiality about your disability or Specific Learning Difficulty (SpLD). You are in control of who you tell about your disability or SpLD and we will not pass on information without your permission.

Information which appears on the Students Records System Web (e:Vision).

When registering with us, you are informing the University that you have a disability. In order to communicate with staff about your support requirements, we will update your disability category on the Students Records System (e:Vision). When we do this, most staff will see a “yes” under the disability category. Key members of staff (the Disability Learning Support team and Disability Tutors) will see a specific disability category. This category will be based on the medical/diagnostic information you give us about your disability.

These are the categories that appear on the system:

B - You have a social/communication impairment such as Asperger's syndrome/other autistic spectrum disorder
C - You are blind or have a serious visual impairment uncorrected by glasses

D - You are deaf or have a serious hearing impairment

E - You have a long standing illness or health condition such as cancer, HIV, diabetes, chronic heart disease, or epilepsy

F - You have a mental health condition, such as depression, schizophrenia or anxiety disorder

G - You have a specific learning difficulty such as dyslexia, dyspraxia or AD(H)D

H - You have physical impairment or mobility issues, such as difficulty using your arms or using a wheelchair or crutches

I - You have a disability, impairment or medical condition that is not listed above

J - You have two more impairments and/or disabling medical conditions

How are university staff told about the support that I need? Information which appears on your Reasonable Adjustments Form (RAF)

When registering with us for support, you will be asked to fill in a questionnaire to indicate the type and level of support that you will require whilst studying at the university. You are encouraged to declare all of your disabilities and circumstances as fully as possible at this point so that all the relevant options of support can be laid open to you. Our team will then be in the best position to determine the reasonable level of adjustments that need to be put in place for you.

An adviser from our team will review this questionnaire and once agreed, will summarise your support requirements in a document called the Reasonable Adjustment Form (RAF), which will be sent to particular staff who will be involved in implementing your support. Before this form is finalised, you will be given the opportunity to choose what name or terms we should use to refer to your disability. The actual terminology that you have chosen will appear at the top of your Reasonable Adjustment Form (RAF).

We only disclose information to other members of staff when it is necessary for them to implement, improve or review your support and this is what you are asked to consent to when registering with us.

Once you have consented, your RAF will be visible on e:Vision to yourself, your Module and Course Leaders, the Disability Tutor in your faculty and members of your faculty registry who process RAFs and facilitate support, such as adjustments for exams. If your RAF includes adjustments for the library and/or timetabling and/or Estates and or accommodation, selected members of these teams will also be able to see the support they need to provide.
Please note, information you have provided about your disability or SpLD and your RAF will never be shared with other students. It will also not be included in your University transcript or academic references.

Occasionally, we may also need to contact external professionals (such as GPs, Educational Psychologists, Community Mental health Team) to have more information or advice on the support to be implemented. We encourage you to consent to this and name the people we can communicate with as it allows better support but this is in no way compulsory for you to receive support. Finally, you may wish for us to talk to family or other professionals who have played a part in your support in the past and we have asked you to indicate the names and contact details of these individuals to us. Please note that we cannot disclose information about your life and support at university unless you have named them to us on the Reasonable Adjustments Document that you fill in when you registered your disability or SpLD with the university.

**Where is the information related to my disability or SpLD stored?**

Once you have registered with Disability Learning Support, all documents regarding your disability or SpLD and support are stored on a dedicated place of e:Vision which is only accessible to Disability Learning Support Team. Your University of Westminster mentor, if you have been recommended one and if they work for the University of Westminster, also has access to this. Mentors external to the University, external study skills tutors or other non-medical helper who does not work for the University will NOT have access to your information. We keep these documents there as long as you are a student at the University of Westminster and a further 6 years afterwards. Once this time has elapsed, these records are destroyed securely.

**What if I don’t want anyone to know about my disability or SpLD?**

You may choose not to disclose you have a disability or SpLD outside of Disability Learning Support. However, this will restrict the University’s ability to meet your needs, and it may not be possible to put any your support in place. In this case, we may only be able to provide you with advice and information.

**What is **not** shared with staff outside the Disability Learning Support team?**

Disclosing you have a disability or SpLD does not require all information to be shared outside of Disability Learning Support. That is the reason you are given the option of choosing how we refer to your disability when involving university staff involved in the implementation of your support.
We never share medical documentation (DLS medical form, Doctors Letters, Consultants’ letters…) outside of the DLS team, unless these are requested as part of an investigation made by the Academic Standards Department in response to an appeal or a complaint that you have made (see below). If there were a need for another university team or external agencies to see these medical documents, we would always ask your explicit permission before passing those documents on.

What happens to your information if you make a complaint, an appeal or if the DLS team is audited?

If you make a complaint or lodge an appeal because you believe that you have not received the disability-related support needed, our Academic Standards Department (which deals with student complaints) may request access to your file as part of their investigation into your complaint.

We are also subject to a yearly audit from Student Finance England who needs to check the quality of our study skills and mentoring provision when this is delivered as part of your Disabled Students Allowance. The auditors may request access to your files: case notes, Individual Learning Plans and Weekly Mentoring Sheets. Medical Evidence or detailed content of mentoring sessions (which are only ever accessible to your mentor alone) will not be shared with the auditors.

What if the information about my disability needs updating?

You can make changes to the information on your consent form or on your RAF at any point during your course. You can do this by contacting the Disability Learning Support. We will update the information we hold about your disability or SpLD if you notify us of a change.

What if I change my mind about disclosing my disability or SpLD after registration with Disability Learning Support?

If you no longer wish your disability or SpLD to be recorded, we will change your status as “no disability” on our Student Records System and you will no longer receive disability-related support. Your RAF will be deleted from the system. We will keep the information in our internal file, which are only visible to the DLS team, and will destroy these records 6 years after you leave university.
Are their limits to the promise of confidentiality?

There are instances when we may have to share information about you without seeking your prior consent:

- If there is a serious demonstrable risk to your health or life (yours or others);
- If there is reasonable doubt that the particular instance involves criminal activity;

In those very rare cases, we may share information with any staff or agencies involved in keeping you safe or with the Police when criminal activity is involved.

Please contact the Disability Learning Support Team if you wish to discuss this before signing our consent form.
Appendix A: Fair Processing /Privacy Statement

1. **Identity of Data Controller or controller’s representative** - The University of Westminster is the data controller of the Students Records System (e:Vision) where the records relating to disabled students are held.

2. **Committed to integrity and confidentiality** - The University of Westminster takes its data protection very seriously and access to your personal information is subject to a confidentiality agreement. Access to your information is limited by system permissions to only those academic and Professional Service staff who need access to this information in order to comply with their duties under the Equality Act 2010 – namely, putting in place reasonable adjustments and support so that you have full access to all the academic and non-academic opportunities that the University of Westminster offers all its students.

3. **Any automated processing** – e:Vision permissions are automatically created based on staff’s roles in implementing support for a disabled student. This means that staff’s access to a student’s sensitive personal information will be restricted to the information staff need to have in order to implement the support in the area of the university business that they are responsible for.

4. **Data sources** - Your personal data has been sourced from the University student records system (e:Vision), from UCAS/UKPass if you declared your disability or SpLD on application and from the Reasonable Adjustments Questionnaire on e:Vision and uploaded medical evidence.

5. **Categories of personal data** - The categories of personal information held in e:Vision are for the most part personal data relating to your identity and student/researcher/professional life, including University contact information. It also contains personal sensitive data in relation to your disability and support needs.

6. **Consent and withdrawal of consent** - In some circumstances, where consent has been given, information relating to agreed learning/research support will be held for individual students and researchers. This information is sensitive personal information of a special category and will only be available where it is essential for the delivery of agreed adjustments and support.

Withdrawal of consent to share learning/research support is managed from the within the e:Vision, and any withdrawal of consent in that system will be result in deleting the Reasonable Adjustment Forms. Requests to withdrawal of consent related to sharing learning/research support information should be directed to the Disability Learning Support Team.
7. Only authorised University e:Vision users or staff will have access to personal data and it will only be shared externally with consent, as aggregated statistical data or where allowed and required by law.

8. The University of Westminster uses your personal information in the e:Vision system for the purposes of:

- Administering and supporting agreed teaching, research and equal access to student experience at the University
- Internal aggregated reporting on the University students registered for disability support, to help us manage and improve our services
- To share with HESA under our HEFCE terms and conditions, subject to the Privacy Statement available here https://www.hesa.ac.uk/about/regulation/data-protection/notices

9. Legal basis for processing - The University will only retain and process your personal information with your explicit consent.

10. Period for which the personal data will be stored or criteria used to determine – Your data and information will be retained for 6 years after the end of your relationship with University.

11. Intent to transfer personal data - None of your personal information is transferred at any time outside the United Kingdom or European Economic Area without your explicit consent.

12. DPO contact and 13 (2) (b) provision of rights - If you have any questions relating to your personal information and your information rights, including right of access, rectification and erasure, please see the University’s data protection web pages: https://www.westminster.ac.uk/about-us/our-university/corporate-information/information-compliance-and-records-management/data-protection

Or contact the University Information Compliance Team dpa@westminster.ac.uk

13. Right to lodge complaint with SA - You can also contact the Information Commissioners’ Office in relation to any concerns or issue you may have with the processing of your personal information. Please see:

https://ico.org.uk/global/contact-us/