

## CONTACT WITH THIRD PARTIES UNIVERSITY POLICY

### 1. General Principles

1.1 For the purposes of this document, ‘third parties’ means any person or persons other than the two parties to the contract between the University and the student. The phrase includes, but is not restricted to, parents, siblings, spouses, relatives, employers, sponsors, landlords, partner universities, the media and agencies wishing to carry out student surveys.

1.2 Each student of DCU has entered into a contract with the University. Third parties are not parties to this contract in any way. Even if third parties (e.g. parents) have paid fees, or have had their means assessed for purposes of the Higher Education Grant, our relationship and our agreement is with the student.

1.3 All information held on all systems, whether manual or electronic, about a student (e.g., name, term time address, course of study, examination results, disciplinary matters, debts owed to the University) is **confidential**.

1.4 This remains true whether or not the student is over eighteen years of age. Just as those who are not yet eighteen can enter into a contract with an employer, so also they can enter into a contract with the University. We are not *in loco parentis*.

1.5 Student data must never be published in such a way as to make individual students identifiable.

1.6 There are five exceptions to this confidentiality:

- In cases of emergency (see section 3);
- In cases where the student has given express permission in writing;
- When, in accordance with legislation, student data is provided on a confidential basis to the Department of Social, Community and Family Affairs for the purpose of identifying possible abuses of the Social Welfare System;
- When a written signed request is made by the Gardaí stating that the information is needed to prevent, detect or investigate a criminal offence;
- In compliance with an Order for Discovery by the Courts

1.7 Inappropriate or unwarranted contact with third parties or disclosure of student data can be a breach of the data protection act or other legislation, and universities have been sued in the past over such breaches.

1.8 This code is binding on all university employees. It is acknowledged that some university employees (e.g. counsellors, medical staff) will have their own professional code of ethics, including stipulations on confidentiality and contact with third parties, but it is not envisaged that there will be any conflict between such codes and this document.

1.9 All mailings to students (for example, posting of examination results) should be marked confidential and sealed, as the addresses used in such mailings are frequently the parental address.

## **2 Contact Initiated By Third Parties**

2.1 Obviously, when third parties contact us they must be treated with courtesy, tact, sensitivity, diplomacy and patience at all times. Our obligation to maintain confidentiality, and the students' right to decide who should have access to confidential information, must be explained in a sympathetic way.

2.2 Third parties who contact a member of staff of the University to express concern about the welfare of a student should be informed that we cannot initiate contact with a student on the basis of third-party intervention, and that even if we could, such contact would be likely to be unproductive. The third parties could of course be urged to advise the student to contact an appropriate person or service in the University (e.g. Counsellor, Tutor, Health Service), and the absolute confidentiality of these services should be emphasized.

2.3 Third parties trying to trace or contact a student cannot be given an address or telephone number. However, one can offer to attempt to pass on a letter or a message to a student, with the proviso that the student may not have provided us with up-to-date data. If a letter is passed on, it should be accompanied by a covering note explaining that the address has not been conveyed to the third party. Remember that the student may have severed links with the third party for very good reasons; whatever the reason, the decision is the students.

2.4 When third parties are seeking to contact a student, it is useful to enquire whether the matter is urgent (e.g. serious illness or death of a family member or relative). In such cases we should attempt to contact the student quickly, while explaining to the third parties that this may be difficult.

2.5 In the case of students with disabilities, third parties can sometimes be very involved with the student's academic progress and welfare. However, for the purposes of this document, students with disabilities are no different to other students.

2.6 When third parties contact the University to make a complaint on behalf of a student, they should be tactfully informed that we will investigate any complaint received provided it is made by the student.

## **3. University Staff Wishing To Contact Third Parties**

3.1 Apart from our obligation to confidentiality already mentioned, bear in mind that students have, at registration, given the name and address of their next of kin (normally, a parent) for use **in emergencies only**.

3.2 Advice should always be sought whenever possible on what is or is not an emergency from either the Director of Student Support & Development or the University Secretary.

3.3 If it is agreed that contact with third parties is warranted, permission to make contact should be asked of the student, if practicable.

3.4 If permission is withheld by a student apparently against his or her best interests (for example, after admission to hospital), it will be up to the Director of Student Support & Development or the University Secretary to decide how to proceed.


3.5 An emergency may well exist in a case where there are good grounds for believing that serious harm may occur to the student or to other people, or where a student seems to have disappeared and serious concern is being expressed by classmates or friends.

3.6 Contact with the next of kin nominated by students is **not** warranted in the following cases: to pursue debts, check on a student's whereabouts, discuss cases of unacceptable behaviour or breaches of the code of discipline, fundraising, publicizing events or facilities on campus (e.g. concerts, open days, Sports Complex membership, residences, etc.).

3.7 The issue of contacting next of kin when a student dies is already covered in the University's protocol on that topic. In such cases the contact is coordinated by the Director of Student Support & Development.

3.8 In the case of international students, contact with third parties (e.g., parents, sponsors) can be particularly problematic, as the situation in a student's home country may be such that any contact may have serious consequences for the student's long-term interests.

#### Version Control Panel

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**End.**