



# Sharing Information to Support Student Wellbeing

A Guide for Students' Unions and Higher Education Providers



Higher Education  
Student Support Champion



## Introduction and Purpose

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This guide is produced by the Higher Education Student Support Champion in partnership with the National Union of Students Charity (NUS) and AdviceUK.

It provides practical support to enable Students' Unions (SUs) to share information with their partner Higher Education Providers (HEPs) when there are concerns for a student's mental health or wellbeing.

This guide outlines good practice and recommendations to ensure processes are consistent, effective, and lawful. It should be used to facilitate discussions between SUs and HEPs on information sharing. Whilst its primary focus is on the role of SUs, it may also be used by HEPs to help foster collaboration with SUs to enhance student mental health support.

We encourage you to read this guide alongside Universities UK's [suicide-safer guidance](#), which provides helpful guidance on sharing information with students' families and trusted contacts, and the Information Commissioner's Office (ICO) [guide for universities and colleges](#) on sharing personal data in an emergency.

## Acknowledgements

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## Foreword

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During my time as Higher Education Student Support Champion, I have grown increasingly aware that Higher Education Providers (HEPs) are becoming ever more structured in their collaborations with external organisations, and these partnerships are key to delivering effective and responsive student support.

It is in this context that the relationship between HEPs and Students' Unions (SUs) is crucial. The support provided by SUs complements that of HEPs and the whole is truly greater than the sum of the parts.

Effective information sharing is a crucial tool in achieving this complementarity. This guide establishes an information sharing framework to help SUs and HEPs consider how information can be shared between them lawfully and consistently.

I recognise that organisations will and should seek independent legal advice on these matters. Nevertheless, my hope is this guide will foster common understanding of information sharing. This will empower SUs and HEPs to convene discussions on the most appropriate methods for delivering joined-up support for students.

I would like to thank the National Union of Students Charity and AdviceUK, as well as colleagues from across the higher education sector, who have supported the development of this guide. My appreciation goes also to Ben McCarthy has done sterling work in bringing it together.

**Professor Edward Peck**

**Higher Education Student Support Champion**



## 1. Why should Students' Unions share information with their partner Higher Education Provider?

The mental health of students is a widely-publicised issue. Early adulthood, when most students attend higher education, is a critical period for the onset of mental health conditions. [The NHS estimates](#) that one in five young people aged 8 to 25 years in England has a mental disorder. In addition, widened access to higher education has generated a more diverse student body with unique - and increasingly complex - social, emotional, and practical challenges and needs.

The HE sector faces growing pressure to support students, including those with complex, significant, and enduring conditions. SUs, while not typically offering direct mental health support, often provide or deliver advice services, societies, events, and venue spaces where colleagues may be required to respond to and assist students in mental distress.

However, SUs often lack the capability, capacity, or expertise to safely support students with mental health challenges. Poor coordination between SUs and HEPs may result in gaps in support, leaving students vulnerable, hindering the sharing of information, blurring responsibilities, and impeding proactive support efforts.

When SUs identify concerns, they should consider sharing information with their partner HEP to ensure students receive appropriate and timely support. HEPs are better-equipped to address students' mental health challenges. They can provide specialist mental health support, notify students' trusted contacts, signpost or refer to NHS services, and implement adjustments to support their academic engagement.

### **Barriers to effective information sharing between SUs and HEPs:**

- Underdeveloped information sharing pathways, leading to uncertainty about what information to share, in which circumstances, and with whom;
- Confusion around data protection laws, especially concerning student confidentiality and what information can be shared lawfully;
- Poor communication of privacy and confidentiality policies, impeding students' understanding of how their information will be used and shared to improve and coordinate support;
- Challenges in responding to 'sub-crisis' incidents, where a student faces significant issues but without immediate or obvious harm; and
- Uncertainty about the roles, qualifications, or requirements of SU colleagues, hindering timely and confident decision-making.

## 2. Information Sharing Framework

In this section we outline a proposed information sharing framework, which SUs are encouraged to adopt. A framework can act as a tool to:

- Inform your organisational approach to sharing information to support student wellbeing;
- Communicate and clarify your approach with colleagues, supporting their understanding and ability to respond to students confidently and quickly;
- Consider the steps you need to take to align other policies and activities (such as completing a DPIA or re-writing confidentiality policies); and
- Identify where additional work is needed in order to embed your approach (such as colleague training).

In our proposed framework (below) there are three levels of urgency with corresponding responses. Within each level we outline common scenarios and likely presentations, although each incident should be considered on a case-by-case basis and SUs will need to evaluate the level of urgency and respond accordingly.

<b>Assessment of Urgency by the Students' Union</b>		
<b>Emergency situation</b>	<b>Urgent 'sub-crisis' situation</b>	<b>Non-urgent situation</b>
The student cannot keep themselves safe, they are in crisis, and/or there is risk of harm/life to themselves or others.	The student is experiencing a significant challenge which is impacting their life, they are displaying worrying behaviour or thoughts of self-harm, or there is a significant safeguarding concern.	The student is disrupted by personal challenges, they may be displaying low mood, or they disclose low-level concerns about their university experience.
<b>Contact emergency services and then inform the HEP.</b>	<b>Consider contacting the HEP directly to enable the student to receive appropriate support.</b>	<b>Signpost students to support provided by their HEP or GP.</b>

### **Maintaining the independence of SUs:**

HEPs and SUs are separate legal entities, with separate duties and obligations. The autonomy of SUs is crucial for providing independent advice and support. Therefore, developing an information sharing process must be transparent, proportionate, and respect the agency of students seeking support from their SU.

However, many students do not immediately recognise the separation between the SU and their HEP. Consequently, students may make a disclosure to their SU and assume this is coordinated and shared with their HEP.

Achieving a balanced approach can be challenging. However, this guide proposes that it can be achieved through complementary and aligned policies that support the development of formalised and consistent approaches to sharing student data.

## **3. Navigating data protection legislation**

The UK GDPR (General Data Protection Regulation) governs how personal data is processed. The sharing of students' personal information between SUs and HEPs requires a lawful basis under Article 6 of UK GDPR. An additional lawful basis, from Article 9, is required if special category data (e.g., mental health data) are shared.

In this section, we detail how the information sharing framework, described above, aligns with your obligations and requirements under the UK GDPR. However, if in doubt, it is important that you seek independent legal advice.

### **Securing consent to share information**

It is always best practice to secure students' consent to share information. Consent enhances trust and transparency, and puts students at the centre of decisions about their support. Securing consent will also fulfil your requirements under Article 6 and Article 9 of UK GDPR. It is important that you secure and record students' consent in the correct way. For more information, see the ICO's [guidance on consent](#).

However, it won't always be possible to obtain consent. It is important that you understand how other lawful bases apply so that you can proactively plan for different scenarios where information sharing is required.

### **Sharing information in non-urgent situations**

In non-urgent situations, it will not be appropriate to share students' information with their HEP. In these instances, SU colleagues should encourage and signpost students to support.

## Sharing information in urgent 'sub-crisis' situations

In urgent situations, it may be necessary to share students' information directly with their HEP to ensure they receive timely and appropriate support. A student may not always give you consent to share their information. However, you may determine – after having assessed the interests of the student and the urgency of the situation – that sharing information with their HEP is necessary. In this scenario, appropriate lawful bases might include:

- Article 6 – *legitimate interests*.
- Article 9 – *substantial public interest*.

If you intend to use these lawful bases, it is important that you consider how each should be applied, and that conditions for using them are met. For more information, see the ICO's [guidance on legitimate interests](#) and its [guidance on substantial public interest](#).

## Sharing information in emergency situations

In emergency situations, where the sharing of information may help to protect a student's life, *vital interests* may be used as a lawful basis under both Article 6 and Article 9 of the UK GDPR.

However, *vital interests* can only be used where the student is incapable of giving consent. If the student is capable of giving consent, but has refused to do so, you cannot rely on *vital interests*. For more information, see the ICO's [guidance on vital interests](#).

### The ICO's position on data sharing and student wellbeing:

The Information Commissioner's Office (ICO) is the UK's independent authority responsible for upholding information rights and promoting data privacy. It oversees and enforces compliance with data protection laws, such as UK GDPR, and promotes good practices in data protection.

The [ICO's position on student mental health](#) is clear:

*“Put simply, university and college staff should do whatever is necessary and proportionate to protect someone's life. Data protection law allows organisations to share personal data in an urgent or emergency situation, including to help them prevent loss of life or serious physical, emotional or mental harm.*

*The ICO's approach has always been to be a pragmatic and proportionate regulator. That means the ICO does not seek to penalise organisations for acting in good faith and in the public interest in an urgent or emergency situation.”*

## 4. Recommendations

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In this section we establish a set of recommendations that should be adopted to enable you to implement an effective information sharing framework. They are grouped under three overarching themes and are listed chronologically in the order they should be considered.

### Recommendation 1 – Mental health response plan

SUs should develop a plan to respond to student mental health incidents and disclosures. This should be clearly and regularly communicated to colleagues to support them to make confident, effective, and timely decisions. Ideally, this should be co-produced and agreed with your partner HEP to ensure alignment with existing wellbeing referral and risk management processes. You may also consider structuring your plan around the information sharing framework detailed in section 2.

When developing a plan, the following questions should be considered:

- Where are mental health disclosures or incidents most likely to occur, and thus which colleagues are most likely to respond?
- How should colleagues handle different types of incidents (such as those outlined in our Information Sharing Framework)?
- What is the process for escalating concerns and decisions within the SU?
- What are the criteria for determining the level of urgency and risk?
- At what point—and for which incidents—will a decision be made to share information with the HEP?
- Who in the SU is responsible for making decisions to share information, including where it may include sharing without students' consent?
- Who in the HEP will information be shared with, and how does this process change for out-of-hours incidents?

### Complementing your approach to safeguarding:

A formal safeguarding approach outlines an organisation's measures to protect individuals, particularly vulnerable groups, from harm, abuse, and exploitation. A safeguarding policy should outline designated roles (such as safeguarding lead), escalation and reporting processes, and training and development for colleagues.

Having a safeguarding policy should enable your organisation to achieve the recommendations set out in this guide more easily. Your SU may already have a standalone safeguarding approach, or you may have aligned with the safeguarding regime of your partner HEP. The National Council for Voluntary Organisations provides [helpful information on safeguarding](#).



## Recommendation 2 – Information governance

Information governance policies and processes should be reviewed to ensure they align with your approach to sharing information. We propose three recommendations. Your partner HEP may be well-placed to support with advice, guidance, and expertise on how best to implement these:

- a. **Data protection impact assessment.** When establishing a process for sharing information, a data protection impact assessment (DPIA) should be conducted. Aligning the DPIA with your mental health response plan will help you to consider the types of data to be shared and the lawful bases you will apply in different scenarios. A DPIA also enables you to evaluate risks to privacy and security, ensure compliance with data protection laws, and implement measures to mitigate those risks. For more information, and a useful template, see the ICO's [guidance on DPIAs](#).
- b. **Data sharing agreement.** A data sharing agreement (DSA) is a formal document that outlines how data is shared between organisations. It details the purpose of sharing, the types of data to be shared, the responsibilities of the parties, compliance with regulatory requirements (such as data retention and deletion), and the conditions for sharing, including when disclosures of confidential information will be made under permissible circumstances. Where a DSA already exists between the SU and HEP, it should be reviewed to ensure it clearly addresses the lawful sharing of information for student mental health and wellbeing. For more information, see the ICO's [guidance on DSAs](#).
- c. **Confidentiality policy.** Students accessing support through the SU will have, in some cases, an expectation of confidentiality. However, there are times when sharing students' information, even without consent, will be necessary, and it is therefore not recommended to make unrealistic commitments to students that they are afforded absolute confidentiality. SU services providing advice and other welfare support should consider their approach to confidentiality and document this through a specific, rather than organisational, policy. This policy should be easily accessible to students, so they can make informed decisions about seeking and accessing support. AdviceUK provide helpful [guidance on confidentiality](#). Coventry University Students' Union Advice Service also provide a [good practice example](#).

### Recommendation 3 – Support for colleagues

In order to operationalise your approach to information sharing, SU colleagues should be supported to respond appropriately to students in distress, to understand the process for escalating concerns, and to recognise when it may be necessary to share information. Here we make two key recommendations:

- a. **Training and development for colleagues.** Training for SU colleagues should be role dependent. Those colleagues who will be required to make decisions in relation to student wellbeing should receive training on assessing risk and understanding confidentiality, including when to disclose information (e.g., safeguarding training). Non-specialist staff, who may be required to respond to distress, but not necessarily make decisions in relation to student wellbeing, should also receive training and information so that they can identify and support students more effectively. This could include induction training with the designated safeguarding lead or ongoing/recurring awareness training on the SUs approach to responding to mental health incidents or other safeguarding concerns.
- b. **Appoint a colleague as data protection lead.** It is good practice to have a data protection lead in the SU to manage data protection and ensure compliance with UK GDPR, including overseeing DSAs, DPIAs, and confidentiality/privacy policies. Some SUs may have a data protection officer (DPO); the ICO provides [guidance on DPOs](#). In some SUs, it may not be feasible to assign a DPO. However, you should still appoint a colleague responsible for data protection. In addition, all SUs should consider consulting with their partner HEP for support in implementing and monitoring data protection procedures (including those we have recommended in this guide).

#### Competency Framework for Responding to Distressed and Vulnerable Students:

The Competency Framework was developed by the [HE Mental Health Implementation Taskforce](#) for higher education providers. It sets out the approaches, skills and knowledge that are needed to respond effectively to distressed students, and has been designed as a useful tool for developing or reviewing staff training for a broad range of roles within higher education.

Students' Union officers and staff can sometimes be a first port of call for students who are struggling. The Competency Framework may help Students' Unions to review their approach to supporting students in distress, their expectations of staff and officers, and the training and support they are able to access.

[View the Competency Framework.](#)

## 5. Responding to the death of a student

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Every student death is a tragedy, the impact of which is felt by the family, friends, and wider university community. Following the publication of UUK's [guidance on responding to student suicides](#), HEPs should have in place a student death response plan. This includes provision to review instances of probable suicide and to learn lessons to improve the delivery of services and support.

In responding to and reviewing a student death, HEPs will be required to share information with, and request information from, the SU. This is necessary for a number of reasons:

- To identify and support students who may have known the deceased student through co-participation in societies, sports teams, or other student groups. The student may also have been employed by the SU, and thus fellow student employees will need to be informed and supported.
- To enable the SU to cease communications with the student.
- To enable the SU to organise memorial events or tributes.
- Where suicide is suspected, the HEP will collect information on the possible interactions the student had with SU colleagues and services to better understand the circumstances surrounding the death and to identify good practice or areas for further improvement.

We recommend that HEPs and SUs collaborate on developing an effective student death response plan. In particular, where suicide is suspected, SUs should be provided an opportunity to contribute to and inform the HEPs' post-death review, and, in addition, be informed of any outcomes or actions following this review.

UK GDPR, and thus the requirements around data sharing, does not apply to a deceased person. Whilst there will be a need to maintain a consideration for privacy and confidentiality, HEPs and SUs should not avoid sharing information when responding to the death of a student, particularly where there are opportunities to better support the student community and learn from tragedies.

For more information, see [UUK's guidance on responding to student suicides](#).