

**Policy Identifier:** Consent to Disclose and Share Disability Information

<b>Policy Title:</b>	Consent to Disclose and Share Disability Information
<b>Description:</b>	MIE encourages students with disabilities to disclose information on their disability/specific learning difficulty to the Registrar’s Office and to the Disability Service before they apply to MIE or at any point during their studies.
<b>Author (Position):</b>	Vice President (Academic Affairs) and Registrar
<b>Version:</b>	2
<b>Approved By:</b>	MIE Governing Body
<b>Policy Re-approval Date:</b>	June 2023
<b>Date of Next Policy Review:</b>	June 2027 (or as necessary)

# Consent to Disclose and Share Disability Information

## 1 Context

- 1.1 Marino Institute of Education (MIE) is committed to ensuring that students with a disability have as complete and equitable access to all facets of MIE life as can reasonably be provided. MIE has adopted a [Code of Practice for Students with Disabilities](#) studying at MIE.
- 1.2 This policy is in accordance with the [Disability Act, 2005](#), the [Equal Status Acts, 2000 \(as amended\)](#), and [Universities Act, 1997](#).
- 1.3 Students with a disability are encouraged to register with the [Registrar's Office](#) and the [Disability Service](#) of Trinity College Dublin, the University of Dublin (hereafter referred to as Trinity) to seek supports where the disability could affect their ability to participate fully in all aspects of the course.

## 2 Purpose

MIE encourages students with disabilities to disclose information on their disability/specific learning difficulty to the [Registrar's Office](#) and to the [Disability Service](#) before they apply to MIE or at any point during their studies.

## 3 Benefits

Such disclosure is encouraged so that MIE can work with the student in ensuring that any reasonable accommodation required is identified and facilitated in consultation with the student.

## 4 Scope

This policy applies to all registered foundation, undergraduate and postgraduate students of MIE, with permanent or long-term disabilities.

## 5 Policy

- 5.1 Confidentiality for students with disabilities
  - 5.1.1 MIE encourages students with disabilities to disclose information on their disability/specific learning difficulty to the [Registrar's Office](#) and to the [Disability Service](#) before they apply to MIE or at any point during their studies. Such disclosure is encouraged so that MIE can work with the student in ensuring that

## Policy Identifier: Consent to Disclose and Share Disability Information

---

any reasonable accommodation required is identified and facilitated in consultation with the student<sup>1</sup>.

- 5.1.2 A record of a student's contact with the Institute is held securely in accordance with the [Data Protection Act, 2008](#) and the [European Union \(EU\) General Data Protection Regulation \(GDPR\)](#), and information provided to the [Registrar's Office](#) and the [Disability Service](#) is regarded as 'sensitive personal data'. The anonymised information may be used for statistical and monitoring purposes without revealing the identity of students.
- 5.2 Any documentation or information presented in disclosing a disability is held on Marino Electronic Student Records ([MAESTRO](#)) by the [Registrar's Office](#) in MIE and is shared with the Service Level Provider, the [Disability Service](#) of Trinity. Specific medical or other documentation will not be disclosed to any third party, except where necessary to provide reasonable accommodations<sup>1</sup>.
- 5.3 Where a student requests and is granted any form of reasonable accommodation – such as extra time in exams or permission to record lectures – the [Disability Service](#) will, in consultation with the student, disclose relevant information to the individuals in those departments responsible for providing or facilitating students in accessing such accommodations. In such instances, only information relevant to the particular situation will be disclosed. Where academic staff contact the [Disability Service](#) for advice regarding individual students, staff will be informed that it is necessary to obtain the permission of the student before doing so.

### 5.4 Why does MIE hold data?

In order to assess whether it is appropriate to make these reasonable accommodations and/or the nature of the accommodations to be made, the [Registrar's Office](#) in MIE and the [Disability Service](#) in Trinity may collect and process the following types of data:

- i. Personal/identification details (such as name and MIE student ID number);
- ii. Central Applications Office/[Disability Access Route to Education \(DARE\)](#) (and/or other application forms) if a disability is declared;

---

<sup>1</sup> [Code of Practice for Students with Disabilities](#)

## Policy Identifier: Consent to Disclose and Share Disability Information

---

- iii. Course Details;
- iv. Information you supply about your disability/medical condition, medical evidence, [DARE](#) disability evidence/DARE Educational Impact Assessment, Education psychologist assessment reports or the MIE [Evidence of Disability Form](#);
- v. Correspondence with funding bodies;
- vi. Other relevant correspondence and reports.

5.5 Sharing of information<sup>2</sup> about a student's disability, will be on a need-to-know basis, with:

- 5.5.1 Relevant MIE staff (e.g. Course Lecturers/Placement Leader/Tutor<sup>3</sup>/Examinations' Office), usually via a Professional Learning Education Needs Summary (PLENS) Report;
- 5.5.2 External placements –in the case of students on professional courses, where placement is an integral part of the course, a student may give consent to sharing their PLENS report;
- 5.5.3 Funding bodies: the [Higher Education Authority Social Fund for Students with Disabilities](#) and other funding bodies and support providers (e.g. [Irish Sign Language](#) or [Personal Assistance](#))
- 5.5.4 Accommodation Service (if you apply to stay on the MIE campus accommodation under the [DARE Accommodation Scheme](#));
- 5.5.5 [MIE Counselling](#) and [Health Service](#) (e.g. referral for these supports). The Counselling Service is provided by the [Trinity Counselling Service](#), and the [Health Service](#) is provided by Fairview Medical Centre;
- 5.5.6 The [Library](#) (additional borrowing privileges<sup>4</sup>);
- 5.5.7 Facilities (e.g. respite, personal emergency evacuation plan<sup>5</sup>);
- 5.5.8 Where necessary, we will seek your written permission to liaise with other named external professionals involved in your disability-related care and support.

---

<sup>2</sup> The information share is minimised where possible. More detailed information about the nature of your disability is shared where necessary for specialist reasonable accommodation to be made.

<sup>3</sup> [Tutor System Policy](#) and [Tutor System Procedure](#)

<sup>4</sup> [Library Access and Borrowing Policy](#)

<sup>5</sup> [Fire Evacuation Procedure](#)

5.6 Secure storage of personal data will be conducted as follows:

5.6.1 Paper records/documents are scanned by the [Disability Service](#) and returned to the student once the records/documents are uploaded to [MAESTRO](#). Any files/documents that are sent via postal service are scanned and uploaded to [MAESTRO](#) and shredded accordingly.

5.6.2 Electronic records: all disability documentation students provide is stored on the student portal, [MAESTRO](#) and is available only to student, the MIE [Registrar's Office](#) and the [Disability Service](#) in Trinity. Notes on all interactions are stored on [MAESTRO](#), with access limited to authorised MIE [Registrar's Office](#) staff and Trinity [Disability Service](#) staff.

5.6.3 Statistical information gathered to monitor and evaluate the MIE [Registrar's Office](#) and the Trinity [Disability Service](#) will be anonymised.

5.7 Occasionally MIE will contact students to make them aware of disability-related activities or opportunities linked to MIE that may be of interest to them. If students would prefer not to receive this information, they may request not to be contacted. Mailing lists for such activities utilise the BCC function to avoid the disclosure of the recipients' email addresses.

5.8 Seek feedback and conduct research. The contribution of students who use the [Disability Service](#) is vital so that the Service can develop in response to evidence-based research. By registering with the MIE [Registrar's Office](#) and the Trinity [Disability Service](#), students may be asked to participate in surveys of other forms of research. However, non-participation will not in any way prejudice the supports or accommodations students are entitled to receive<sup>6</sup>.

5.9 Where applicants provide information in advance of registering on a MIE course and then choose not to enrol, this medical evidence will be destroyed. If a student decided to study at MIE at a later date, then they will need to re-submit supporting medical evidence and a completed disclosure form<sup>7</sup>.

---

<sup>6</sup> [Code of Practice for Students with Disabilities](#)

<sup>7</sup> See [Evidence of Disability Form](#)

## Policy Identifier: Consent to Disclose and Share Disability Information

---

- 5.10 **Other students:** MIE will not disclose details of a student's disability to other students; it is a personal choice whether an individual student tells others that they have a disability or is accessing/receiving support.
- 5.11 **Parents/guardians:** Due to General Data Protection Regulations ([EU-GDPR](#)), information about a student's disability and support requirements/arrangements will not be shared or discussed without the student's written consent. Where consent is provided to share or discuss information with parents, parents cannot act, or request changes, on a student's behalf and the student retains full responsibility for engaging with the [Disability Service](#).
- 5.12 **Student rights:** A student may at any time request restrictions to the processing or sharing of their data by the MIE [Registrar's Office](#) or the Trinity [Disability Service](#). However, such restrictions may adversely affect the level of support or reasonable accommodations that MIE or placement providers can offer. If a student has concerns about this or would like to discuss the consequences of disclosing or withholding information, they are encouraged to speak to a member of the MIE [Registrar's Office](#) or to a [Trinity Disability Officer](#).
- 5.13 **Reporting data breaches:** Under [EU-GDPR](#), a breach which is reportable to the Data Protection Commissioner must be reported not later than 72 hours after the breach comes to light. All breaches or suspected breaches should be reported to the Data Protection Officer without delay.
- 5.14 **Disclosures in exceptional circumstances:** MIE may, in exceptional circumstances, share some data about a student's disability/condition with third parties without their consent. These circumstances are provided for, in full, under the [Data Protection Act, 2008](#) and include
- 5.14.1 Emergencies, e.g., if a student is unwell/injured; or at risk of injury to themselves/others;
  - 5.14.2 To protect the vital interests of any person, including the student;
  - 5.14.3 Fitness to practice issues or a duty to report a professional body (such as Teaching Council);
  - 5.14.4 Complaints/appeal to MIE;

## Policy Identifier: Consent to Disclose and Share Disability Information

---

- 5.14.5 Legal situations e.g. legal disputes/advice/proceedings or where required by a Court of Law;
- 5.14.6 To law enforcement agencies, for the prevention/detection of crime or apprehension/prosecution of an offender.
- 5.15 Each student should contact the [Disability Service](#) immediately if there is a change in the circumstances concerning their disability and where it is appropriate that MIE should be aware of this change.
- 5.16 Declarations of understanding of consent to disclose and release of disability information
- 5.16.1 I request reasonable accommodations from MIE's [Registrar's Office](#) and/or the Trinity [Disability Service](#). I understand the [Registrar's Office](#) and the [Disability Service](#) will ensure that personal data will be used only to facilitate the required and agreed levels of reasonable accommodations and supports.
- 5.16.2 I consent to the [Registrar's Office](#) and the [Disability Service](#) to add information relating to academic and disability support requirements to my student record at [MAESTRO](#). I understand that reasonable accommodations will be provided only following a needs' assessment and that my explicit consent will be required via [my.tcd.ie](#) to allow the [Disability Service](#) implement and communicate my reasonable accommodations via a PLENS report. Depending on what reasonable accommodations are needed and agreed, the following areas in MIE and types of disclosure may apply:

**Policy Identifier: Consent to Disclose and Share Disability Information**

<i>MIE Service/Supports</i>	<i>Type of Disclosure</i>
Registrar’s Office (including Examinations)	Name, student number, exam codes
Accommodation Services	Name, student number, disability category
ESF/International Office	Name, student number, disability category, support requirements
Library	Name, student number
External Placement Supervisor	Professional Learning Education Needs Summary PLENS
Print Credit Supplier	Email & student number
Conferencing & Facilities	Personal Emergency Evacuation Plan
School and Department staff and external placement staff where relevant	Professional Learning Education Needs Summary PLENS
Sports Centre - Respite	Name, student number
Student Counselling and Health Service	Name, student number, ESF eligibility
MIE Tutor	Professional Learning Education Needs Summary PLENS

5.16.3 **Non-disclosure of information:** I understand that not providing consent to disclose will mean that I will not be able to receive those reasonable accommodations that require the disclosure of information.

5.16.4 I understand that my personal details and documentation will be retained as electronic files for the duration of my time as a student at MIE. I understand that official MIE communication is via student email and I will check this regularly and respond accordingly.

**6 Responsibility**

These procedures are implemented by the [Registrar's Office](#).

**7 Related Documents**

7.1 [Disability Act, 2005](#)

7.2 [Equal Status Acts, 2000 \(as amended\)](#)

7.3 [Universities Act, 1997](#)

7.4 [Data Protection Act, 2008](#)

7.5 [European Union \(EU\) General Data Protection Regulation \(GDPR\)](#)

## Policy Identifier: Consent to Disclose and Share Disability Information

---

- 7.6 [Higher Education Authority Social Fund for Students with Disabilities](#)
- 7.7 [Evidence of Disability Form](#)
- 7.8 [Disability Privacy Notice](#)
- 7.9 [MIE Privacy Statement](#)
- 7.10 [Code of Practice for Students with Disabilities](#)
- 7.11 [Library Access and Borrowing Policy](#)
- 7.12 [Fire Evacuation Procedure](#)