

Placements Confidentiality Agreement for Students

It is possible that prior to commencing or during your placement you will find yourself being asked to sign an agreement which provides reassurance to your placement host about the management of confidential information you may come into contact with in your role.

What is confidential information?

Confidential information is information in whatever form which the disclosing party determines should not be shared with a third party. It is up to the disclosing party to identify whether the information is confidential or not, bearing in mind other legal or contractual obligations they may be under.

Confidential information might be commercially sensitive (such as client lists), personal data (such as medical history) or relate to an invention or innovation which has not yet been protected formally (such as a patent).

What is a Confidentiality Agreement?

Also known as a Non-Disclosure Agreement (NDA), Confidential Disclosure Agreement (CDA) or Secrecy Undertaking, these are legal agreements restricting the handling of information shared between two parties. Employment contracts often contain Confidentiality provisions and so you should check any agreements between you and the placement host you signed on starting your placement.

It will set out the agreed rules about how the information should be used, identified, transmitted, stored and destroyed. Under a Confidentiality Agreement information is shared for a specific purpose and will only allow the exchange of information during a specific time period.

Why do we have them?

A Confidentiality Agreement provides clarity around the agreed approach to handling sensitive information securely, enabling the parties to take their discussions and work forward in a safe and trusting environment.

Implications of a Confidentiality Agreement

Confidentiality Agreements are legal contracts and failing to comply with anything set out in them or disclosing something confidential against the terms of the agreement could have serious legal and financial implications for you. For example, the other party could pursue you for their financial losses arising from your breach – these could easily be thousands of pounds.

Notwithstanding the legal and financial implications, by failing to take the contract seriously you could damage your professional reputation and employment prospects with the host organisation and any of its related businesses.

Ensure you read, digest and follow the points of the agreement and/or contract.

The Loughborough University Process

Where a host organisation asks you to enter into a confidentiality agreement directly with them this may be via your employment contract or a separate agreement. In this instance Loughborough University will not always need to be involved in the process unless you have any serious concerns. If this is the case, you can contact your School placement team who will be able to discuss this further with you and sign-post to relevant support and resources.

There may be some instances where an employer requires that you enter into a confidentiality agreement alongside Loughborough University or asks you to facilitate such an agreement with the University. This might be because a member of LU staff will visit you on placement or may relate to academic work which you will complete on placement.

Generally, the University's position is that a confidentiality agreement should not be required, as Loughborough University's involvement does not require the disclosure of confidential information. In any submissions, the placement host should work with you to ensure confidential information is not included in anything shared with anyone from the University.

It is important that as soon as you are aware that a confidentiality agreement might be required by your placement host that you contact your School Placement Team. This will provide the best opportunity for the matter to be resolved in a timely manner by all parties involved.

Disclaimer: Please note this information does not constitute legal advice.

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