Guidelines for Digitalised Guidance Counselling and one-toone support 2020

Delivered by Sarah Tully, Solicitor & Legal Trainer in collaboration with the NCGE



Lárionad Náisiúnta um Threoir san Oideachas

National Centre for Guidance in Education

### Focus of these Guidelines

1. Guidance counsellor competence, available training, and continued supervision

2. Contracts, consent and student suitability

3. Specific issues relating to working online

4. Professional and legal considerations

5. GDPR - Confidentiality and security

6. Protocols for security and appropriate platforms to assure safety

#### **Methods of Communication**

Telephone guidance counselling is conducted in real time Email: Private written communication between student and guidance counsellor where there is a delayed response Generic voice applications: Communication through conversation conducted in real time via the internet

Generic video applications: Communication is both verbal and visual and is conducted in real time via the internet

Instant messaging: received instantly Forums: Delayed response private communication with students

# Positive aspects of working online with students

Students with certain additional challenges

- isolation
- disability
- social distancing
- flexibility

**PART 1: Guidance counsellor** competence, available training, and continued supervision

## **Guidance Counsellor Experience**

The Education Act (1998) Section 9c states that a school shall use its available resources to ensure that students have access to appropriate guidance to assist them in their educational and career choices.

- Recognise professional boundaries and exercise due <u>caution not</u> to exceed the limits of your role.
- Applies to technological ways of working with students.
- Online support for students deserves the same level of expertise and commitment as face to face.
- You have a duty to be aware of regulatory issues, including data protection, school procedures, confidentiality, and to inform students of these.

## Specialist training required?



Absence of visual and auditory signals



Student dis-inhibition and over-disclosure. Students not disclosing/engaging



Importance of obtaining greater clarification when communicating with students via email or telephone



Awareness of fantasy and idealisation of the guidance counsellor by the student (which may be erotic or romantic) and stems from the increased transference and projection accompanying online support



How to proceed when students 'disappear' through change of email addresses or other contact details

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The importance of internet etiquette - 'netiquette' or the rules of online etiquette, and how this applies to posting messages and replies online



How to maintain a responsible 'presence' online, especially in relation to personal guidance counsellor details which may compromise the individual or that of the profession



Consider the wider ethical implications of working online, especially in relation to the instigation of dual relationships with students through social networking sites.



All information provided on the school's website including the guidance counselling section should be clear, unambiguous and up to date

## Proficiency in the use of technology

School management responsible for technology:

- ✓ anti-virus
- 🗸 firewall
- encryption
- spam blocking software
- ongoing maintenance of other technological tools
- students should be given all the information necessary to avoid threats to their privacy and to ensure their safety online

## Proficiency in the use of technology

This information to students should include:

- ✓ IT policy
- PC with firewall and anti-virus protection installed
- Encryption, where possible, so that information received is confidential
- Password protection for access to computer and email account
- To avoid sending or receiving emails at Wi-Fi hotspots
- Checking the 'to' address field before clicking to 'send'
- Where possible, the school online system should be used in order to plan, schedule and deliver 1:1 meetings (further information on the use of such platforms is available from the NCGE).

### Supervision and professional support

- Guidance counsellors have a duty to ensure that their work is adequately supervised in away that will support their work with online students.
- Online supervision seems more suitable since it serves to uncover parallel processes and other important dynamics when both guidance counsellor and supervisor are working in the same medium.
- Guidance counsellors will be supported through the department of education funded supervision.

See link for further information - letter from Monaghan Education Centre <u>https://www.ncge.ie/covid-19/support/post-</u> primary/resources/supervision

# PART 2: Contracting and student suitability

# Assessment of suitability for online support

- Identify Students/Groups
- Personal support decisions made in consultation with school management and the student support team following the normal school referral procedures.
- Best practice is to follow the NEPS Guidelines regarding the operation of Student Support Teams which includes templates which can be used as part of formal referral procedures.

#### https://www.education.ie/covid19/wellbeing

#### **School Staff**

#### Primary

Managing Stress and Anxiety a Guide for School Staff

Normalising Thoughts, Feelings and Behaviour - A Guide for School Staff

Panic Attacks - A Guide for School Staff

Returning to school Primary

School Staff Wellbeing return to school

Self Regulation for Pupils a Guide for Staff

The Response to Stress Information for School Staff

<u>Supporting Bereaved Students and Staff Returning to School following COVID-19 and Public Health Restrictions:</u> <u>Information Booklet for Schools</u>

#### **Post-primary**

Guidelines for Teachers - Listen, Connect, Model and Teach

Managing Stress and Anxiety A Guide for School Staff

Normalising Thoughts, Feelings and Behaviour - A Guide for School Staff

Panic Attacks A Guide for Staff

Guidance for School Staff on Post-Primary Students Returning to School

School Staff Wellbeing & Self-Care on Return to School

The Response to Stress - Information for school staff

<u>Supporting Bereaved Students and Staff Returning to School following COVID-19 and Public Health Restrictions:</u> <u>Information Booklet for Schools</u>

#### **Target Groups**

Some students may not benefit from online provision - alternative support identified. Guidance counsellors should be realistic about their own level of competence when assessing students for online support.

#### Suitable

Prioritise:

- Sixth year
- Transition Year
- Third year etc

#### Unsuitable

- risk of self-harm/ harm to others
- personal crises circumstances beyond the guidance counsellor's level of competence.
- psychosis, trauma or severe personality disorders should be informed to access alternative appropriate professional support.
- Schools need to continue to adhere to their usual policies and practices regarding referral to external agencies; this applies in the 'online school' just as it does when schools are operating as normal.

### **Parental and Student Consent**

Look at your own school policy on this:

- Ideally, parents need to be made aware where students under 18 have access to online 1:1 guidance counselling, support or 1:1 teaching.
- The preferred school communication system (i.e. text, email, letter or other system) can be used to inform parents how guidance counsellors and teachers will communicate with students online in order to provide 1:1 support.
- Students must also be made aware that they have the option to opt out from 1-1 guidance counselling support at any stage.

#### Establishing an online contract

The contract, which sets an agreement between student and GC, is the foundation of the relationship. It provides information for the student who will then know what to **expect**. It also establishes the **boundaries** of the support relationship and is designed to ensure that the student **understands** how the GC is going to work.

https://www.ncge.ie/sites/default/files/resources/NCGE -PP-Digitalised-Guidance-Planning-EN.docx

## **Contract information**

#### Prospective online students

- 1. pre-session information
- 2. school's website
- 3. replicated via email once communication between student and guidance counsellor is established
- № Personal phone numbers!
- School-based email addresses should be used

#### What if there is no school based email address?

- Discuss with school management
- If deemed appropriate the use of personal emails needs to be approved by parents/ guardians of the student
- School management should develop robust guidelines which indicate appropriate use and boundaries regarding the use of personal emails



#### Digitalised Whole School Guidance Insert for Whole School Guidance Plan:

Academic Year 2020/2021

#### **INSERT SCHOOL NAME**

#### Introduction to Digitalised Guidance

This resource outlines the decisions made at local school level about the logistics of digitalised / online school guidance provision in our school.

All content was discussed and agreed between School Management and the School Guidance Counsellor(s). The approach to digitalised Guidance in our school is documented here in line with:

A Whole School Guidance Framework document (NCGE, 2017) https://www.ncge.ie/resource/ncge-whole-school-guidance-framework

(Covid-19) Support information for Guidance Counsellors in Schools (NCGE, 2020) https://www.ncge.ie/resource/covid-19-ncge-support-information-GC-schools

Continuity of Guidance Counselling - Guidelines for schools providing online support for students (DES, 2020) https://www.education.ie/en/Schools-Colleges/Information/Post-Primary-School-Policies/Policies/continuity-of-guidance-counselling-guidelines-for-schools-providing-online-supportfor-students.pdf

Continuity of Schooling (DES, 2020) www.education.ie/en/Schools-Colleges/Information/continuity-of-schooling/continuity-ofschooling.html

## Considerations when working online:

- Synchronously or asynchronously? Is it done via email, telephone or visual platform?
- Details about session booking, dates and times of contact, as well as times of response from guidance counsellor to student.
- The amount of time per session. Will support be provided during the normal school day and follow the usual timetable/schedule?
- Details of security for confidentiality
- The student's responsibility in relation to electronically stored or printed material either sent to or received from the guidance counsellor
- What can *realistically* be expected by the student and what may be achievable

### Considerations when working online:

- Technology failure? What are the alternative means of contact? Agree how to proceed
- The difference between communication used for making practical arrangements, and the content material of support sessions. For example, using a mobile phone to confirm or cancel appointments, but not for personal or confidential communication
- Policy about sending or accepting email attachments
- General referral procedures and procedures in the event of emergency and the additional help available in emergency or crisis

PART3:

Other issues specific to working online including handling crisis situations and child

protection concerns

#### **Crisis situations and student safety**

- Student safety is of paramount importance in the context of online support, and guidance counsellors should address this from the outset by including crisis referral details on their school website or homepage.
- There are a number of organisations dedicated to helping members of the public in crisis, including the Samaritans and Pieta House. The HSE.ie also provides a list of out of hours doctors services nationally, who are available to help in a crisis.
- National Educational Psychological Service (NEPS) provides support to schools and have developed advice and resources to support young people to manage and stay well while schools are closed.
- https://www.education.ie/en/Schools-Colleges/Services/National-Educational-PsychologicalService-NEPS-/NEPS-Home-Page.html
- Previous NCGE Webinar

#### **Crisis situations and student safety**



Normal school procedures applyyou must refer to suitably qualified professionals



NB: This **duty of care** applies equally to online work



ascertain if a student in crisis needs:



medical treatment



hospital admission



Garda intervention



Students should be given prior information about crises procedures in place

## Crisis situations and student safety

- Usual route contact DLP/DDLP
- How?
- Record?
- Create a network of support

If digitalised guidance is taking place, our school procedures for communication with the DLP and the DDLP are: \_\_\_\_\_

If an emergency/child protection issue arises during a time when digitalised guidance is taking place, the agreed protocol is to:

## Child Protection Procedures for Schools

The Department of Education and Skills circular 0081/2017 (published on 11 December, 2017)

The purpose of the procedures is to give clear direction and guidance to school authorities and to school personnel in relation to meeting the statutory obligations under the Children First Act, 2015 and in the continued implementation within the school setting of the best practice guidance set out in the updated Children First: National Guidance for the Protection and Welfare of Children 2017.

## Reporting to TUSLA (Child and Family Agency) using the Tusla Portal

Tusla has developed a secure online Portal for reporting child protection concerns.

- When reporting a concern should be used wherever possible.
- After the report has been submitted via the Tusla Portal, a copy of the report must be printed and retained in accordance with the requirements of the Procedures. It also allows the reporter to print a copy of the report submitted.
- Further information in relation to the use of the portal is available at:

https://www.tusla.ie/children-first/web-portal/

https://www.education.ie/en/Schools-

Colleges/Information/ChildProtection/child\_protection\_guidelines.pdf

# Threats to security

- wrong type of hardware or software,
- technological failures,
- the behaviour of people involved,
- or unauthorised intrusion by third parties
- being overheard
- someone being present without the knowledge and consent of the person at the other end of the communication.
- means of communication are adequately protected and not left open
- Guidance counsellors are directly responsible for protecting their end of the communications.
- Good practice safeguards against physical intrusion include vigilance about being overheard or overseen, adequate password protection and encryption of data to prevent intrusion on equipment and software used, and by providing information to students about how best to protect their security.

### **Electronic Intrusion by third parties**

- to some degree unavoidable (student barge in office)
- using insecure methods of communication including unprotected Wi-Fi
- inadequate firewalls and virus protection being used at either end of the communication
- security systems being bypassed by third parties, possibly by the use of spyware or code breakers, which may be readily available on the internet

#### Good practice safeguards against intrusion by third parties include:

Adequate password protection and encryption of services being provided, regularly updating firewalls, virus protection or other applicable security systems and providing suitable information to service users to enable them to protect their end of the communications.

**PART 4 : GDPR** -**Confidentiality in** relation to data protection and storage

### **Risks and possible infringement**

- Inform students about the limits of confidentiality, including the risk of possible access to, or disclosure of, confidential information which can occur during service delivery.
- Online supervision is another area vulnerable to loss of confidentiality when data and stored information is not adequately protected.

https://www.ncge.ie/covid-19/support/post-primary/resources

## Confidentiality and security safeguards



Consider how best you can work securely



Online student confidentiality is just as important!

Online students who are at risk, or those in crisis situations, are covered by the same guidelines as those in face to face support.



Guidance counsellors must inform their students about the possibility of disclosure in certain situations, when working with them online.

# Practical tips in relation to student confidentiality and online data

- 1. Maintain electronic and paper records -normal school policy
- 2. Warn that security may be compromised if using a work, library or cybercafé computer
- 3. Encryption and other security measures should be assigned to records where possible (password protect documents) (refer to school policy)
- 4. Password protection should be in place and changed regularly so that access to confidential electronic messages is protected. Especially important is the use of password protection for opening email attachments and access to folders and documents held on a computer and online systems



#### Developing a Confidentiality Policy for Post-Primary Schools

#### Important Information | Sample Templates

This document has been produced in order to outline how information about students should be treated by those who learn and work in schools.

Some suggestions are made to help schools to clarify how information is treated and to enable school staff to develop relevant policies in that regard. Although particular reference is made to confidentiality in the work of the Guidance Counsellor, emphasis is placed on the adoption of a whole-school approach to the issues.

The complete document contains five sections as follows.

You can also download the 'templates' as separate documents; by saving to your device you can then type directly into these templates, or you can delete the prefilled content and print.

1. General information pertaining to Confidentiality and Consent in Guidance in the school context

2. A sample 'School Confidentiality Policy' which may be adjusted for use in post-primary schools. CLICK HERE TO DOWNLOAD SAMPLE TEMPLATE (EN) CLICK HERE TO DOWNLOAD SAMPLE TEMPLATE (GA)

3. A sample 'Confidentiality and Consent Checklist' CLICK HERE TO DOWNLOAD SAMPLE TEMPLATE (EN) CLICK HERE TO DOWNLOAD SAMPLE TEMPLATE (GA)

4. A sample 'Consent Form to Attend Confidential One to One Guidance Sessions' for parents/guardians CLICK HERE TO DOWNLOAD SAMPLE TEMPLATE (EN) CLICK HERE TO DOWNLOAD SAMPLE TEMPLATE (GA)

5. A list of references and relevant documents / information

See below for COMPLETE document download links.

<u>https://www.ncge.ie/school-guidance-handbook/developing-</u> <u>confidentiality-policy-post-primary-schools</u>

## Case Study No.1 "Linda"

- Linda has come to get the results of her psychometric testing. She is academically a high achiever and her parents hope that she will study medicine as they did. Linda wants to join the navy, she can't tell her parents.
- She tells you that her anxiety is getting worse as she carries this secret and as she is talking you notice she starts hyperventilating and quickly becomes distressed. You calmly tell her to take some deep breaths and then the screen goes black. You have disconnected.

What do you do?

Case Study No.2 "Shane"

- Shane, a third year student, has been dared by his friends to declare his love for you. If he can prove that he has done it they will give him €100.
- During an online session Shane blurts out that he finds you extremely attractive and he thinks he might be in love with you. You notice his phone is by his laptop speaker and it is on record.
- What do you do?

#### Resources

Guidance counsellors who are employed by schools should comply with the specific requirements dictated by their school.

Continuity of Guidance Counselling - Guidelines for Schools April 2020

- NCGE provides online resources to support guidance counsellors and schools with sample Record Templates for Guidance Counselling One-to-One Meetings with Students, for education, career and personal guidance 1:1 sessions
- https://www.ncge.ie/covid-19/support/post-primary/resources

Personal guidance	counselling
one-to-one record	
© Nucleard Costs for Cuidenes in Education 2020	Session Number:

© National Centre for Guidance in Education 2020

School Name:	Student's Name / Identifier:
Guidance Counsellor Name:	Time
	Date
	the National Centre for Guidance in Education (NCGE) for direct use by individual school

Aim of the session (in brief):

Summary of discussions:

(include students report of feelings, thoughts, behaviour and your own observations in brief)

https://www.ncge.ie/sites/default/files/SGH-2801207 PersonalGC-1-1-PDF-EN.pdf

#### Conclusion

Consider possibility of outside access to student information.

- The Freedom of Information Act 2014 requires the Health Service Executive (HSE) and other public bodies to publish certain information on their activities, and to make the information they hold, including personal information, available to citizens.
- Legal obligations on guidance counsellors to submit to a court of law, transcripts of their communication with students, in circumstances as required by law, must be taken into consideration in online support as they would in more conventional methods of support.

## You've got this!



Yes, It's daunting

Yes, there will be "teething problems" What is the resistance really about?

Have confidence in what you do

Seek help if needed

# Questions...



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## **Do you need further training?**

#### Sarah Tully Legal Training & Consultancy Services

B.A (Hons), LLB (Hons), Solicitor, Cert in Professional Education; Cert in Technology Law.

#### **Professional Summary**

Sarah is a Consultant Trainer and Solicitor experienced in designing and delivering customised legal training courses. Sarah has trained extensively for the HSE and Hospital Groups and provided training for many public bodies and commercial organisations throughout Ireland. Prior to embarking on her training career, Sarah maintained a speciality in insurance defence litigation and practised in one of the recognised top defence firms in the country.

#### **Training and Professional Experience**

Specialist areas include designing and presenting tailored legal training programmes for both public and private sector clients.

If you require any training on the current best practice of the legal aspects of your business or profession please feel free to contact me.

\*for specific legal advice please contact your own legal team.

- ✓ Presenting Evidence in Court
- ✓ Court Room Practice
- ✓ Litigation
- ✓ Complaint Management
- ✓GDPR
- ✓ Record Keeping
- ✓ Report writing
- ✓ Consent and Capacity
- ✓ Investigation skills
- ✓ Child Protection
- ✓ Fraud Investigations
- ✓ Coroners Inquests
- ✓Oral Hearings
- ✓Online Learning
- ✓ Wellness for Professionals