



# CODE OF CONDUCT

Fontys University of Applied Sciences  
Student Guidance Team

Student Facilities department (27/10/2020)

# INTRODUCTION

In the performance of their\* duties, the member of the student guidance team is bound by internal and external regulations in all kinds of areas, which may serve as a basis and guarantee for their professional actions. They are regularly confronted with ethical questions in their daily work. Guidance in the form of a professional code or code of conduct is therefore useful.

This code is based on three principles:

1. The code is a translation of professional ethical principles into rules of conduct, which serve as a guideline for professional conduct.
2. The code is a source of information for all persons who have contacts with the member of the student guidance team as part of their duties.
3. The code is a benchmark against which the actions of the member of the student guidance team can be tested in the event of complaints or conflicts.

\* They/their refers to men, women and people who do not recognise themselves in one of these identities.

## **CONTENTS**

<b>1. Preamble</b>	<b>4</b>
<b>2. Definitions</b>	<b>4</b>
<b>3. General provisions</b>	<b>5</b>
<b>4. Basic principles</b>	<b>5</b>
<b>5. Duties and powers</b>	<b>6</b>
<b>6. The service-providing contact</b>	<b>7</b>
<b>7. Final provisions</b>	<b>8</b>

# 1. PREAMBLE

The Student Guidance Team is part of the Student Facilities department. The team has three positions that have a guiding role for students: the student counsellor, the student psychologist and the study career choice advisor. In addition, staff of iStudent fulfil a supporting role.

Fontys University of Applied Sciences has job descriptions for these positions and roles. The code of conduct provides support for the job descriptions with regard to the basic principles that the student guidance team uses in its work.

# 2. DEFINITIONS

## ARTICLE 1 DEFINITIONS

The following definitions apply in this code of conduct:

- Service-providing contact: all contacts between a member of the student guidance team and a student in order to receive or provide information, support or guidance.
- Director: the officer appointed as such who is in charge of an institute or department.
- Department: the operational unit within Fontys that carries out the business processes that support the primary process.
- Fontys: Fontys Foundation.
- Institute: the operational unit within Fontys within which in particular the core competencies of Fontys are organised and which carries out the primary process. Where applicable, the institute is externally referred to as Fontys University of Applied Sciences.
- LOShbo: Landelijke Organisatie Studentendecanen in het Hoger Beroepsonderwijs, the national organisation for student counsellors in higher professional education.
- Executive Board: the Executive Board of Fontys University of Applied Sciences.
- Student: anyone who is registered as a student in a Fontys University of Applied Sciences study programme in accordance with Article 7.32 et seq. of the Higher Education and Research Act (WHW), as well as contract students.
- Student guidance team: the team of the Student Facilities department consisting of the following disciplines: student counsellors, student psychologists, study career choice advisors and iStudent staff.
- Student counsellor: the person who has been appointed as a student counsellor at Fontys, as referred to in Article 7.34 paragraph 1 under d of the WHW.
- Student psychologist: the person who has been appointed as student psychologist at Fontys.
- Study career choice advisor: the person who has been appointed as study career choice advisor at Fontys. The study choice advisor supports students in making their choice of study at the start of their studies or when switching.
- iStudent: team of employees who support the student counsellors, student psychologists and study career choice advisors.
- WHW: the Higher Education and Research Act of 8 October 1992, Bulletin of Acts and Decrees 1992, number 593, including the latest additions and/or amendments.
- Third parties: all persons who do not have an appointment as a member of the student guidance team at Fontys.

### **3. GENERAL PROVISIONS**

#### **ARTICLE 2 SCOPE**

This code of conduct applies to the members of the Fontys student guidance team.

#### **ARTICLE 3 POSITION**

1. Fontys has a student guidance team. The student guidance team provides support, information and guidance to students in the field of study and education, study choice, being a student and study facilities, and is the point of contact for assistance with regard to objections and appeals.
2. The student guidance team represents student interests in the broadest sense of the word.
3. Employees of the student guidance team have a position of trust for students. In connection with this, members of the student guidance team have as independent a position as possible within the organisation and they have a duty of confidentiality with regard to all information provided by students.
4. The student guidance team is responsible for supervising students with a disability and is available for second care support.

### **4. BASIC PRINCIPLES**

#### **ARTICLE 4 PURPOSE OF THE SERVICE-PROVIDING CONTACT**

1. The service-providing contact should be aimed at improving the functioning of students in the context of their decisions regarding study career, professional perspective and personal well-being.
2. The student psychologist, student counsellor and study career choice advisor of the supporting study guidance team have a signalling role for the individual institutes and Fontys University of Applied Sciences as a whole.

#### **ARTICLE 5 GENERAL PRINCIPLES**

1. The member of the student guidance team performs their duties within the framework of the statutory regulations and the regulations applicable within Fontys University of Applied Sciences.
2. The member of the student guidance team is primarily focused on the interests of the students, on the understanding that in representing these interests, they are bound by the principles and objectives of Fontys. In connection with this, the member of the student guidance team will not act as legal representative of any student in internal Fontys proceedings and external legal proceedings in which Fontys is the party on whom a summons is served.
3. The service-providing contact must meet requirements of care and expertise that, under the given circumstances, can be imposed on the member of the student guidance team.
4. The member of the student guidance team must ensure that the preconditions have been created that enable them to behave in accordance with these regulations.

5. The member of the student guidance team respects students' personal privacy and person.
6. In performing their duties, the member of the student guidance team takes their own personal limitations (in terms of expertise, emotional possibilities, ethical views) into consideration. Where necessary they consult other experts.
7. The member of the student guidance team is responsible for maintaining and developing their expertise.
8. Under no circumstances will the member of the student guidance team abuse their position and expertise in relation to students.
9. The member of the student guidance team will refrain from conduct that can reasonably be foreseen to harm the objectives of their position.

## **5. DUTIES AND POWERS**

### **ARTICLE 6 TASKS**

1. The student psychologist, student counsellor and study career choice advisor are responsible for supervising and supporting students. The student psychologist, student counsellor and study career choice advisor provide details and information to individual students and groups of students and also to student coaches, lecturers and other staff members of the institutes in the context of supervising students. The student psychologist, student counsellor and study career choice advisor have an independent position.
2. The student psychologist, student counsellor and study career choice advisor provide solicited and unsolicited advice to internal bodies and officers about policy and its implementation, in particular with regard to study guidance, education and organisation.
3. In any event, the student psychologist, student counsellor, study career choice advisor and iStudent employee do not have any duties that conflict with the performance of their duties.

### **ARTICLE 7 CONFIDENTIALITY**

1. The member of the student guidance team is obliged to maintain confidentiality towards third parties of what has become known to them in the performance of their duties.
2. Confidential information about individual students, also in the context of the tasks as described in Article 6, may only be provided to third parties if and in so far as the student agrees to this in writing (this may also be by e-mail), after having been informed about: a) the way in which the information will be provided; b) the content of the information to be provided; c) the person(s) to whom the information will be provided and/or who will subsequently become aware of it.
3. Students can withdraw their permission to further provision of confidential information to third parties at any time.
4. The member of the student guidance team only takes cognisance of the contents of student records if this is relevant for the performance of their duties, as referred to in Article 6, paragraph 1, first sentence.
5. The member of the student guidance team has the right, even without the student's permission, to discuss anonymised information with third parties, to process it in

publications, lectures or education, provided that the privacy of students is not jeopardised.

6. The member of the student guidance team is not bound to confidentiality if they have good reasons to believe that breaching confidentiality is the only and last means of preventing direct danger to persons. They always consult about this with a colleague (counsellor or psychologist), Legal Affairs or the DPO (data protection officer).
7. If the member of the student guidance team is forced by legal provisions or a court decision to provide information, they will only do so after they have first informed the person concerned about this.

## **ARTICLE 8 FILE MANAGEMENT**

1. The member of the student guidance team keeps records of their contacts with a student in such a way that they can adequately guarantee the progress and (possible) transfer of the contact.
2. The member of the student guidance team will record these notes and other relevant information in the student file. The file and the data file are set up and managed in such a way that confidentiality and protection of the student's privacy is assured.
3. The student has the right to inspect and, if necessary, correct their file; data from the file relating to the privacy of third parties or confidential information about third parties may not be viewed by the student.
4. Personal notes by the member of the student guidance team about the student are not subject to the right of inspection.
5. The file will be kept for a maximum of 10 years after the last year of enrolment at Fontys University of Applied Sciences and will subsequently be destroyed.
6. At the written request of the student, the member of the student guidance team will destroy the file earlier.

## **6. THE SERVICE CONTACT**

### **ARTICLE 9 CONCLUDING THE SERVICE CONTACT**

1. A student has the right to approach a member of the student guidance team at all times, in person or in writing, with a request for information, advice, guidance or help.
2. The student will be made aware of this code of conduct. This is possible, for example, if the student has contact with a student counsellor, psychologist or study career choice advisor or by including a link to the code of conduct in the appointment confirmation.
3. The member of the student guidance team has no other relationship with the student than that resulting from the service-providing contact. If, when entering into contact, there is a relationship for other reasons, the member of the student guidance team will in principle refer to another member of the student guidance team, unless there are no conflicts of interest or blending of roles or if this is to be expected and the student has no objection to it.

### **ARTICLE 10 PRESENCE OF THIRD PARTIES**

1. In principle, the student is allowed to involve third parties in the service-providing contact.
2. The member of the student guidance team may reject the presence of third parties if, in their opinion, this harms the purpose of the contact.

## **ARTICLE 11 ENDING THE SERVICE CONTACT**

1. The student has the right to refrain from continuing the service contact at any time.
2. The member of the student guidance team will not terminate the service-providing contact without reason. In so far as this termination is due to the student's behaviour, they will first be informed about this.
3. If the member of the student guidance team decides to break off contact, they must motivate their decision for the student, if possible advise them on how to proceed, and if necessary arrange for an adequate referral.

## **7. FINAL PROVISIONS**

### **ARTICLE 12 COMPLAINTS PROCEDURE**

If a student believes that a member of the student guidance team has acted in violation of this code of conduct and/or their interests have been directly affected, they can, in accordance with Art. 47 of the Fontys University of Applied Sciences Student Charter, submit a complaint to the competent authority, i.e. the Executive Board of Fontys University of Applied Sciences and request that a provision be made in this regard.

### **ARTICLE 13 ENTRY INTO FORCE AND EVALUATION**

1. This code of conduct enters into force immediately after approval by the Executive Board and consent of the Central Participation Council.
2. Two years after it comes into effect, the Executive Board, the student guidance team and the Central Participation Council will evaluate the functioning of this code of conduct and decide on any changes.
3. This code of conduct can be cited as "Code of conduct for the student guidance team of Fontys University of Applied Sciences".

submitted to the Central Participation Council on 21 January 2021 and adopted by the Executive Board on 27 October 2020.