

# Student Conduct and Disciplinary Process Privacy Notice for Persons Reported for Alleged Student Misconduct (Indirect Privacy Notice)

## Your personal information

This Privacy Notice covers circumstances when your personal data has been obtained by the University of Lincoln but not directly for you, the data subject. This Privacy Notice covers the circumstance where other individuals and third parties make a report of alleged student misconduct against you, as per our Student Conduct and Disciplinary Regulations. We use this information to facilitate these processes. This notice explains more about how we use your personal information.

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### **What information we collect about you and the source of the information**

We collect information about you when other individuals and third parties, such as other students, members of staff, members of the public or external organisations including the Police, government authorities, local authorities or non-departmental public bodies engage with us by making a report under the University's Student Conduct and Disciplinary Regulations, which are facilitated by the University's Secretariat team.

Your information is collected via the report forms that are supplied by Secretariat, via written statements provided by individuals and during investigation interviews. Some of the information listed below may not be collected in respect of all cases and may depend on the person(s) reporting an allegation:

Your Name

Your Student ID Number

Your Programme of Study

Your Address

Information about you within report(s) and statements submitted by others, which may or may not contain your special category personal data or data relating to criminal offences and convictions.

Keep your details up to date by contacting the Secretariat team via e-mail ([secretariatemail@lincoln.ac.uk](mailto:secretariatemail@lincoln.ac.uk)).

## How we use your information

We collect information about you to support the investigation of allegations of student misconduct made against you.

Your Name, Student ID, Programme of Study and Address details (where provided) are used to verify who you are, and to obtain your student e-mail address from your student record. Your email address will allow us to inform you of the allegation(s) made against you, to invite you to respond to the allegations made, to request more information from you, formally notify you of outcomes, and give you access to a secure electronic platform to allow you access to relevant information, including investigation documentation and outcome letters.

The personal data provided about you, be this by yourself or others, is used for the purposes of investigating alleged misconduct, compiling a findings report at the conclusion of an investigation and holding a Student Misconduct Panel to make a decision in regards to the case, communicating outcomes to students (as appropriate) and internally to enforce outcomes, determining whether it may be necessary to put an exclusion in place at any stage of the process as under section C8 of the Student Conduct and Disciplinary Regulations, for sharing information with the Police for the purpose of prevention and detection of crime or the apprehension and prosecution of offenders where appropriate, and for sharing information with the Tier 4 Compliance Manager in order that the University is able to fulfil its obligations as a license holder with UK Visas and Immigration (International Students only).

The University processes personal data for the above student conduct and discipline purposes because it is necessary for it to fulfil its public task under its obligations for providing Higher Education, as given to it under its Articles of Government, conferred upon it under the Education Reform Act 1988 (maintaining student discipline). Processing of personal data is also necessary for the performance of the contract that students have in place with the University (Paragraph 1.5 of the Admissions Terms & Conditions), which states:

*'If you do not act in accordance with the Contract, or if you do not meet our expectation that you will 'maintain a standard of conduct which is not harmful to the work, good order or good name of the University, we may take disciplinary action against you, under the Student Conduct and Disciplinary Procedure'.*

By submitting any special category personal data regarding yourself (information which reveal racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data or biometric data for the purposes of uniquely identifying individuals, data concerning health, or data concerning an individual's sex life or sexual orientation), you will be asked to provide your explicit consent in order for the University to process this information for the purposes of investigating the allegations which you have submitted.

The University relies on Paragraph 10 Schedule 1 of the Data Protection Act 2018 (detecting and preventing unlawful acts), where it processes criminal offence or convictions data for the above purposes. This supports the University in meeting its obligations in managing possible risks to the University community by maintaining student discipline.

The University occasionally uses cookies and other technologies on its website that collect data about you when you use them. Where this occurs further information will be available in

a cookies policy. The cookies policy for the University website can be found here:  
<http://www.lincoln.ac.uk/home/termsconditions>.

### **Information we may share with other organisations**

The University may share data we hold for the purposes of investigating allegations of student misconduct with external organisations and bodies, where the law permits and it is considered appropriate under the circumstances.

Police	The University may share information regarding the allegations made about you and information regarding the investigation, with the Police, for the purpose of prevention and detection of crime, or the apprehension and prosecution of offenders, where appropriate.
Office of the Independent Adjudicator	The University may share information regarding investigations and outcomes with the Office of the Independent Adjudicator, where you have made a complaint to them to review the University's decision following completion of the University's internal Student Conduct and Disciplinary process.
University Insurers and Solicitors	The University may share information regarding investigations with our insurers to enable us to make insurance claims and engage with solicitors, where appropriate. The University may share information regarding investigations with solicitors appointed on its behalf for the exercising or defence of legal claims.
UK Visas and Immigration	For overseas, non-UK / EU students only. The University may share investigation, criminal offence and convictions data with the internal Tier 4 Compliance Team, who may share this information with UK Visas and Immigration in order to comply with our obligations as a Tier 4 sponsor/license holder under immigration legislation.

For more information please see:

[https://www.gov.uk/government/publications/keep-records-for-  
sponsorship- appendix-d](https://www.gov.uk/government/publications/keep-records-for-sponsorship-appendix-d)

We use a number of suppliers who process personal information on our behalf. These include suppliers of software services. These act strictly on our instructions and must not use the information for their own purposes.

In exceptional circumstances we may be asked to share your information with police or other investigators if it would prevent or detect crime or safeguard a person's wellbeing. Each instance will be judged on its own merit and any sharing of information will be done within the law.

### **Information processed abroad**

The University does not transfer or process any information abroad under its Student Conduct and Disciplinary processes.

### **How long we keep your information**

The University will retain your case file for six years following the end of your relationship with the University, be this following your graduation, should you withdraw, or your studies are terminated (on whatever grounds).

If you access additional University services these may keep a record of your contact and will provide you with details of how long they keep your information.

## Accessing your information and other rights

You have a number of rights relating to your personal information. These include:

- Access** You have the right to request a copy of any personal information we hold about you.
- If you would like a copy of any of your information please contact the Information Compliance team on the details below. The team will process your request within a month.
- Portability** If you have provided information on the basis of your consent or for a contract then you can request a digital copy so you can send it to another organisation.
- To request a copy please contact the Information Compliance team on the details below. The team will process your request within a month.
- Correction** If any of the information we hold about you is incorrect or incomplete then please let us know. You have the right to have your information corrected so that we hold accurate records about you.
- Erasure** This is also known as the right to be forgotten. You can request that your personal information is erased if it is no longer necessary for the University to keep it, or you withdraw consent that you have previously provided, or you object and there is no overriding grounds to keep it or if it is unlawful to continue to keep it.
- Restriction** You can request that the use of your personal information is limited to storage only and that we use it for no other purpose. This applies where you contest the accuracy of the personal information we hold, or our use of the information is unlawful, or we no longer need the information except in relation to legal claims, or you object to the use of your data and we need to verify whether or not our purpose for keeping it overrides the grounds of your objection.

The Information Compliance team can be contacted by email on [compliance@lincoln.ac.uk](mailto:compliance@lincoln.ac.uk) or by post at: Information Compliance, Secretariat, University of Lincoln, Brayford Pool, Lincoln, LN6 7TS.

### How to object or withdraw consent

If you object to our use of your personal information then we must stop unless we can demonstrate compelling legitimate grounds for continuing. Please contact Secretariat via [secretariatemail@lincoln.ac.uk](mailto:secretariatemail@lincoln.ac.uk) and explain your objection.

If you have provided your consent for the use of your personal information then you can withdraw this consent at any time.

### How to contact us

For enquiries regarding the Student Conduct and Disciplinary processes, please contact Secretariat via [secretariatemail@lincoln.ac.uk](mailto:secretariatemail@lincoln.ac.uk)

For general enquiries please call 01522 88 2000 or write to University of Lincoln, Brayford Pool, Lincoln, LN6 7TS.

You can find contact details for individual teams and staff by visiting <http://staff.lincoln.ac.uk>.

If you have a query about your personal information rights then please contact the Information Compliance team by email on [compliance@lincoln.ac.uk](mailto:compliance@lincoln.ac.uk) or by post at Information Compliance, Secretariat, University of Lincoln, Brayford Pool, Lincoln, LN6 7TS.

### **How to complain**

If you feel that we have let you down in relation to your information rights then please contact the Information Compliance team by email on [compliance@lincoln.ac.uk](mailto:compliance@lincoln.ac.uk) or by post at Information Compliance, Secretariat, University of Lincoln, Brayford Pool, Lincoln, LN6 7TS.

You can also make complaints directly to the Information Commissioner's Office (ICO). The ICO is the independent authority upholding information rights for the UK. Their website is [ico.org.uk](http://ico.org.uk) and their telephone helpline number is 0303 123 1113.