

PROCESSING SPECIAL CATEGORY PERSONAL DATA AND CRIMINAL CONVICTIONS AND OFFENCES PERSONAL DATA

(Articles 9 and 10 of the General Data Protection Regulation and Schedule 1 of the Data Protection Act 2018)

1. Introduction

- 1.1 The University collects, holds and processes a variety of personal data about different members of the University community, including, but not limited to, prospective, current, and previous students; current, prospective and previous employees; volunteers; alumni and Board members.
- 1.2 In some instances, the University is required to process special category (“sensitive”) personal data and/or data relating to criminal convictions and offences (actual or alleged). This type of personal data must only be processed if certain conditions can be met and requires that the University has an appropriate policy document in place in relation to the processing of such personal data.
- 1.3 This document supplements the University’s Data Protection Policy, Privacy Notices and Information Asset Register (the University’s main record of personal data processing activities) and outlines the occasions where special category personal data and criminal convictions and offences personal data is processed under the conditions met by the General Data Protection Regulation and the Data Protection Act 2018 (‘DPA’).
- 1.4 A glossary of terms used within this policy is available at Appendix 1.

2. Purpose

- 2.1 The purpose of this policy is to set out how the University will comply with the data protection principles when processing special category personal data and criminal convictions and offences personal data when it does so in reliance on a condition T&TBT1 0 0 1 151.sdo5

about employees' criminal convictions, if appropriate.

The University has a duty to prevent individuals from being drawn into radicalisation and terrorism. Where we process special category data such as personal data about religious beliefs or political opinions, or data about criminal convictions, for the purposes of fulfilling our Prevent duty, we may rely on this condition where it is not appropriate to obtain an individual's consent. Any personal data processed for these purposes is processed confidentially on a need-to-know basis internally and externally in accordance with University and Government guidance.

The University relies on this condition to disclose certain personal data to the police, DWP, or other similar bodies for the prevention and detection of unlawful acts. Any personal data disclosed under these circumstances is shared securely and is restricted to the minimum amount of information necessary.

Information about criminal convictions obtained as part of a Disclosure and Barring Service (DBS) check is stored and retained in accordance with DBS standards.

4.6 Paragraph 11 Protecting the public against dishonesty etc.

The University provides courses which lead to entry into regulated professions. This condition applies to special category personal data or personal data about criminal convictions and offences collected or used under fitness to practice procedures for students on professional courses (e.g. nursing and teaching).

We may disclose special category data or data about criminal convictions to those who regulate such professions. The processing of such data is in the public interest in ensuring the safety of the public regarding students working towards becoming a member of those professions and enabling those regulating such professions to do so. The personal data processed under this condition is used in accordance with industry standards and guidance in the respective professional area.

4.7 Paragraph 12 Regulatory requirements relating to unlawful acts and dishonesty etc.

Where it is not appropriate to rely on consent, the University relies on this condition when it processes special category personal data and criminal convictions and offences personal data about

OTHER RELATED AND RELEVANT INFORMATION

Data Protection Policy

Records Retention and Disposal Policy

Records Retention Schedule

Privacy Notices

Information Security Policies

[This is not an exhaustive list.]

LOCATION, ACCESS AND DISSEMINATION OF THE POLICY

The University reserves the right to change this policy at any time without notice so please check regularly to obtain the latest copy.

For useful information and advice on data protection contact: www.ico.org.uk

The following Officers will be responsible for providing advice to staff and students on the application of the policy to specific cases in the first instance:

Data Protection Officer

Data Protection Champions

This policy will be made available on the University website.

