

# Privacy Notice

## How we use your data

**This Privacy Notice outlines how the Student Conduct and Complaints Office within Student Services at the University of Kent collects, uses, and manages the personal information of individuals in accordance with data protection law.**

You may also require assistance and guidance from our Student Support and Wellbeing service, Careers and Employability Service, and College and Community Life. For more information, please see the appropriate Privacy Notice(s).

The University of Kent is registered as a 'Data Controller' under registration number Z6847902. [View the full entry on the register](#)

This privacy notice aims to communicate how we use your data in a concise manner in accordance with [GDPR Article 12](#), whilst meeting our statutory notice obligations (Articles [13](#) and [14](#)). If you would like to know more, please contact our Data Protection Officer via the [Data Protection web form](#).

## How we collect your personal information

Your personal data is obtained:

- directly from you, through online or paper forms, email or by telephone
- from the University of Kent systems such as Kent Vision or Target Connect from university staff, students, or members of the public.
- from Kent Union where a case is referred to us for consideration.

## Categories of information we collect.

Personal data we collect about you in connection with running the Student Conduct and Complaints Office:

- your name
- address
- date of birth
- telephone number
- email address
- identification number (student)
- course of study, division, or department
- opinions about an identifiable living person.

**Special category data** we will collect about you in connection with running the Student Conduct and Complaints Office:

- racial or ethnic origin (visa status)

- physical or mental health data (where complaints or investigations relate to injuries sustained or mental distress).

Complaints made occasionally record other special category information as part of the complaint to do with:

- sex life or sexual orientation
- political opinions
- religious or philosophical beliefs.

#### **Criminal offence data:**

- allegations that an individual has committed a criminal offence.
- police documentation
- offence or criminal record information
- court proceedings or sentencing information.

## **How we use your personal information**

We will use your information in the following ways:

- as part of an investigation into a non-academic discipline or complaint case
- to follow up on welfare and discipline issues including instigating a risk management panel
- to record outcomes of discipline and complaint cases for the purposes of data analysis and reporting
- to record details of all excluded students
- to report cases that might result in insurance claims to the University's insurers.

## **Our lawful basis for processing your data.**

We perform tasks in the public interest as part of our role of being a teaching and research institution.

We rely on the following lawful basis as allowed by the UK GDPR for processing your personal data as this is necessary for:

- the performance of a task carried out in the public interest or in the exercise of official authority - Article 6(1)(e)
- a legal obligation – Article 6(1)(c)
- to protect your vital interests or those of another person – Article 6(1)(d)
- the purpose of our legitimate interests or those of a third party - Article 6(1)(f) (unless those interests are overridden by your interests, rights or freedoms).

As we also use your special category data, we must identify a further basis for processing that data. The processing is necessary for:

- with your explicit consent – Article 9(2)(a)
- to protect your vital interests or those of another where you are physically or legally incapable of giving consent – Article 9(2)(c)
- us to establish, exercise or defend legal claims (or where courts are acting in their judicial capacity) – Article 9(2)(f)
- reasons of substantial public interest (as defined within the Data Protection Act 2018) – Article 9(2)(g)

Our substantial public interest reasons are:

- statutory purposes (including to make reasonable adjustments under the Equality Act 2010 where you have a disability)
- equality of opportunity or treatment
- prevention or detection of crime
- safeguarding of children and individuals at risk.

The framework underpinning our public task and legal obligation lawful bases and our statutory purposes include those set out in the Higher Education and Research Act 2017 (for example we must comply with the Office for Students requirements to improve student welfare and outcomes) and in the Higher Education Act 2004 (we must comply under Section 15 with obligations imposed by being a member of the Office of the Independent Adjudicator (OIA) scheme).

As we also use your criminal offence data, we additionally rely on the substantial public interest condition under Section 36 and the vital interests condition under Section 30 of Schedule 1, Part 3 of the Data Protection Act 2018.

We have a Special Category and Criminal Offence Data Appropriate Policy document in place throughout the time that we use your data and for 6 months after we cease to use it.

## Who your information will be shared with

We use third party organisations (known as data processors) who carry out services on the University's behalf under contract. We will ensure that only the minimum amount of relevant personal data necessary for the purpose is transferred. We will ensure that contractual agreements exist to ensure compliance with data protection regulations and that data is used solely under our instruction. In these circumstances personal data shall be deleted after the contract has terminated.

The data processors we use are Microsoft office 365 and Target Connect (our case management system).

We also share your personal data with third party organisations (data controllers) where necessary for their own legitimate purposes:

The Office of the Independent Adjudicator for Higher Education (OIA) which is an independent body set up to review students' complaints about higher education

providers. Their privacy notice can be found here: <https://www.oiahe.org.uk/about-us/our-organisation/our-service/personal-data/>

Our, or third party, insurers.

We have a data sharing agreement with Kent and Medway and Canterbury Christ Church University (Kent and Medway Medical School). For more information please see: <https://kmms.ac.uk/privacy-notice/>

We have a data sharing agreement with Kent Union and share limited information where necessary for safeguarding or security purposes. Where a conduct case is referred to us by Kent Union for consideration, the outcome will be shared with them.

We will also share your information with Greenwich Students Union (for Medway students) or any other supporter of your choice where necessary as part of our processes (for example where they are supporting you with a complaint).

We will share complaint allegations you make with the person or organisation complained about. We will also share responses to allegations with the complainant. This is in order to ensure fairness in dealing with allegations so that we can consider all the relevant arguments and ensure unbiased decision-making. Please refer to the student complaints procedure for further details.

Where you complain about a third-party organisation or contractor providing a service on behalf of the University your complaint will be shared with them and where applicable may be referred to a third party to resolve.

Sometimes it is necessary for your personal information to be shared:

- with competent authorities (such as the police, NCA) or Action Fraud for law enforcement purposes (for substantial public interest reasons – Article 9(2)(g) – for preventing or detecting unlawful acts, safeguarding or fraud purposes)
- with our professional advisors where it is necessary for the establishment, exercise, or defence of legal claims – Article 9(2)(f).

Occasionally the University may, if appropriate, legitimate and necessary, rely on relevant exemptions to UK GDPR provisions as are allowed under the [Data Protection Act 2018](#) (in relation to crime and taxation, management forecasts, negotiations, confidential references and exam scripts and exam marks).

## **Transfer of your information outside of the UK**

When it is necessary for us to transfer your personal information across national boundaries to a third-party data processor, such as one of our service providers, we will ensure this safeguards your personal information by requiring such transfers are made in compliance with all relevant data protection laws.

## How long your personal data will be kept.

- 6 years from the last contact

## Security

We will ensure that security measures are in place to prevent the accidental loss of unauthorised use of or access to your data. Access is given to staff on a 'need to know' basis. Our staff are required to keep your data safe and complete data protection training.

We have procedures in place to deal with any data security incidents and will notify you and the ICO in the event of a data breach where we are required to do so.

## Your rights

Please be aware of the following rights which can be accessed free of charge by contacting [dataprotection@kent.ac.uk](mailto:dataprotection@kent.ac.uk):

- know how we are using your personal information and why (right to information)
- access the personal data held by us (subject access request)
- ask for correction of any mistakes (rectification)
- to object to direct marketing
- to complain to the ICO.

In some circumstances you also have the right to:

- object to how we are using your information.
- ask us to delete information about you (the right to be forgotten)
- have your information transferred electronically
- object to automated decisions which significantly affect you.
- restrict us from using your information.

For further guidance regarding your rights please see our Assurance and Data Protection website [page on data protection rights](#) or the [ICO website](#).

## Your right to complain to the Information Commissioner

You have the right to lodge a complaint with the [Information Commissioner's Office](#).

Their helpline telephone number is: 0303 123 1113.

## Contacts

If you have any questions or concerns about the way the University has used your data, or wish to exercise any of your rights, please consult our [website](#).

The University's Data Protection Officer can be contacted at:  
[dataprotection@kent.ac.uk](mailto:dataprotection@kent.ac.uk).

## Document review date

This privacy notice will be reviewed at least annually.

Version	Author	Description of Change	Date	Next Review date
1	Alison Mansell (approved Dr Lucy Foley)		Last edited 20- 09-22	
2.	ADP/SSW team	Alignment with University template, specific reference to Kent Union added in relation to third party sharing.	January 2024	January 2025