

Student Criminal Offences Policy

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**HERIOT-WATT UNIVERSITY
STUDENT CRIMINAL OFFENCES POLICY
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1. INTRODUCTION

This Student Criminal Offences Policy aims to provide a fair, lawful and, proportionate basis for new and continuing students to declare limited, specific categories of unspent criminal convictions or alleged offences in confidence, where this disclosure is necessary for the University to

- provide appropriate support to students to enable them to continue their studies, where possible
- mitigate risks to other members of the University community.

2. POLICY STATEMENT

Heriot-Watt University is committed to equality of opportunity and ensuring that the service delivered to all applicants and students, irrespective of campus or mode of study, is welcoming and fair.

To help to protect and ensure the wellbeing of the University community, the University must be made aware of any relevant unspent criminal convictions that a student on its on-campus programmes may have that may affect a student's ability to study on campus or present risks of harm to other members of the University community. The policy on students who have declared a criminal conviction aims to ensure that:

The policy aims to ensure that:

- i. New and continuing students are treated on the basis of relevant merits and abilities; and
- ii. There is no prejudice to the safety and wellbeing of other members of the University community, including specifically students aged less than 18 years of age.

The University is required to have regulations and a detailed process for managing the enrolment of students for on-campus programmes who have disclosed a relevant criminal conviction. In order to meet its legal duty of care to its staff and students it also needs to be informed of any alleged criminal offences by its students which falls within the definition under Section 3 below. In doing so the University will comply with strict legal requirements that govern the collection and use of information about criminal offences. The University's legal duties are set out in more detail in Section 6.

The University is committed to supporting those with a relevant criminal conviction through our Student Wellbeing team and declaring a relevant conviction does not preclude any person from studying at the University.

To help to protect and ensure the wellbeing of the University community, the University must be made aware of any relevant criminal convictions that new or continuing students may have. This policy must be applied for all current students for on campus programmes who declare, or who are discovered to have, a

relevant criminal conviction or have been charged with a relevant alleged offence by the police or subject to criminal proceedings.

The University will provide a secure confidential process for new students and continuing students to disclose relevant criminal convictions and alleged offences to the Academic Registrar or their designated representative. The Academic Registrar will consider all disclosures, obtain verification of the offence and request further information where necessary, consulting relevant professional specialists as required. Based on this risk assessment the Academic Registrar will decide whether the individual can continue with their studies and mandate any conditions or support that may need to be in place. Applicants or students who disagree with the decision have the right of appeal. Further information about how the policy will be applied on each University campus is in the Procedures in Appendix C.

3. RELEVANT CRIMINAL CONVICTIONS AND ALLEGED OFFENCES

3.1 Relevant unspent criminal convictions and alleged offences within the scope of this policy are limited to those that have the potential to affect a student's ability to study on campus or present risk of harm to other members of the University community. The categories of offence that need to be declared under this policy are limited to those relating to:

- Any kind of violence including (but not limited to) threatening behaviour, offences concerning the intention to harm or offences which resulted in actual bodily harm, harassment and stalking
- Offences listed under the Sexual Offences (Scotland) Act 2009 and equivalent legislation in other jurisdictions
- Abusive behaviour as defined in the Domestic Abuse (Scotland) Act 2018, including physical and sexual violence, threatening or intimidating behaviour or coercive control, and equivalent legislation in other jurisdictions
- The unlawful supply of controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking
- Offences involving firearms
- Offences involving arson
- Offences listed under the UK Terrorism Act 2006, and equivalent legislation in other jurisdictions

3.2 Convictions that are 'Spent' (as defined by the UK Rehabilitation of Offenders Act 1974 and equivalent legislation in other jurisdictions) are not considered to be relevant and do not need to be revealed. The only exception to this is for programmes of study related to teaching, health, social work, or courses which involve work with children or vulnerable adults. The University does not directly offer programmes in these areas, however students on Psychology programmes or postgraduate research students, should bear in mind that depending on the nature of their chosen research area or placement in their final year of study they may be required to provide further details of all criminal convictions and obtain a criminal record check in accordance with the legislation that applies in their place of study or research activity.

3.3 The following categories of criminal offences and convictions are not considered to be in scope and therefore do NOT need to be disclosed under this policy

- Parking or speeding offences which are subject to fixed penalties
 - Possession of controlled drugs and substances (unless offence occurs on University premises)
 - Arrest for wilful obstruction of a public highway during public protests, i.e. offences that do not involve violence or harassment
- Shoplifting

4. SCOPE

The policy applies to offer holders and undergraduate and students on on-campus taught or research programmes on all University campuses, including students on exchange programmes for a semester or longer and includes

- Admission of students who have declared a relevant criminal conviction
- Disclosure of relevant criminal charges and convictions by students

5 HOW THE POLICY WILL BE APPLIED

5.1 New Students

All new students are required to declare any relevant criminal convictions at the point where they initially enrol with the University. The University shall institute disciplinary action where it is discovered or later found out that, false, incomplete or misleading information is provided in connection with the disclosure, or where a disclosure is not made. Sanctions under the University's Disciplinary Regulations include suspension and expulsion from the University.

Consideration will be given to the level of risk associated with the crime but does not mean that the student will be precluded from continuing their studies. Any additional support required will be offered via the Student Wellbeing team.

5.2 Enrolled Students

The University has a duty of care to its staff and students and therefore needs to be informed of any alleged criminal offences by its students that fall within the remit of this policy. Consideration will be given to the level of risk associated with the crime but does not mean that the student will be precluded from continuing their studies. Any additional support required will be offered via the Student Wellbeing team.

If at any time during enrolment on a programme of study of the University a student is arrested by the police and charged with a relevant criminal offence, the student is required to report this immediately to the Academic Registrar. If a student is sent to trial, the University must also be kept informed at all stages either by the student or their solicitor. If a student is convicted* then this must also be reported along with details of any sentence imposed.

*A conviction includes being put on probation, being given absolute or conditional discharge, being bound over, or being given a formal caution. Students need not declare parking or speeding offences which are subject to fixed penalties.

- 5.3** Further information on the process of declaring a relevant unspent conviction or alleged offence can be found in the Procedures for each campus in Appendix C.

6. LEGAL BASIS FOR POLICY

- 6.1** This policy and its underpinning procedures meet the University's legal obligations under the Rehabilitation of Offenders Act 1974 together with those under the Human Rights Act 1998 and the data protection laws detailed below.

As the University is a Data Controller in the UK, this legislation applies to all University interactions with applicants and students in all jurisdictions. In applying the policy the University will comply with the equivalent laws in the relevant jurisdictions.

Further information about relevant legislation is published at <https://www.legislation.gov.uk/> and in the Procedures to be applied on each campus jurisdiction.

The policy and procedures the Universities and Colleges Admissions Service Criminal Convictions: Good Practice Guide
<https://www.ucas.com/criminal-convictions-good-practice-he-providers>

- 6.2** The University will meet its obligations under data protection law, in particular, the UK Data Protection Act 2018 and the General Data Protection Regulation (GDPR). This requires the University to collect, use and keep (process) personal data about alleged criminal offences and criminal convictions only in accordance with the following specific legal provisions and safeguards.
- 6.3** The University must have a lawful basis under Article 6 of the GDPR and satisfy a condition for processing set out in Article 10. These are set out in Schedule 1 of the DPA 2018.

The University will process personal data about limited and specific criminal offences where this is necessary to

- Fulfil a task in the public interest under the University Charter and Statutes
- Perform a contract with or in the interests of its students and applicants (GDPR Article 6)

The University is authorised by UK law to process criminal offence data where this is necessary for substantial interest, primarily as part of its protective function to provide a safe and secure environment for all members of the University community and to prevent unlawful acts (GDPR Article 10) (DPA 2018 Schedule 1:2:10-11)

More details of the University's lawful basis is set out in Appendix A.

- 6.4** The University has completed a Data Protection Impact Assessment to establish the necessity and proportionality of collecting and using personal data about

criminal offences and has put in place appropriate safeguards to comply with data protection law and mitigate the risks to individuals.

A copy of the DPIA can be obtained by contacting dataprotection@hw.ac.uk

6.5 The University will also demonstrate its accountability for compliance with its obligations under data protection law through this policy and its supporting procedures. In particular, the University commits will comply with the Data Protection Principles (under Article 5 of the GDPR) to collect and process personal data about criminal offences

- lawfully, fairly and in a transparent manner in relation to the data subject
By having completed the DPIA and having a clear legal basis for collecting the data set out in this policy and actively communicating the policy to offer holders and students directly and through our privacy notices
- using the data only for the specific lawful purposes set out in this policy
- ensuring that the amount and nature of data collected is adequate, relevant and limited to what is necessary for these purposes
- verifying criminal offence information provided by data subjects and third parties to ensure that it is accurate and up to date; and managing rights of students and offer holders to challenge and correct inaccurate data
- Keeping the data secure, controlling access strictly on a need to see basis and protecting the data from accidental or unauthorised use, disclosure, loss, destruction or damage
- Keeping the data only for as long as needed for the purposes set out in this policy and destroying the data promptly and confidentially thereafter.
The University will apply the following policy in relation to criminal convictions data
 - Where the disclosure has been made unnecessarily (e.g. for a minor offence that does not fall within the scope of this policy):
destroy data immediately after assessment
 - Where the disclosure falls within the scope of this policy:
destroy data six years after year of leaving

The University will comply with the rights of students and offer holders as data subjects. These will be managed through

- The procedures that support this policy, which will include the right to appeal a decision based on the data provided
- The [privacy notices](#) for prospective and current students
- Information [for students on the University web pages about the policy](#)
- Information provided to students at online enrolment

- The right to make a data subject request to dataprotection@hw.ac.uk

7. LINES OF RESPONSIBILITY

- 7.1 The Academic Registrar** or their designate, is responsible for implementing appropriate confidential procedures to receive disclosure reports, consider the risks presented to the student and other members of the University community and recommend and put in place measures necessary to support students and mitigate risks.
- 7.2 The Director of Governance and Legal Services** is responsible for overall assurance that that policy and procedures are compliant with relevant laws and the rights of individuals.
- 7.3 The Data Protection Officer** is responsible for advising the University on compliance with data protection law in relation to the scope and implementation of this policy and procedures and communication of the policy to students, offer holders and staff.

8. MONITORING AND EVALUATION

The DPO is responsible for monitoring compliance with this policy and the University’s wider compliance with data protection law.

9. IMPLEMENTATION

The Academic Registrar will put in place procedures to implement this policy and brief the relevant colleagues on their roles and responsibilities.

10. RELATED POLICIES, PROCEDURES AND FURTHER REFERENCE

This policy should be read in conjunction with all other University student and information governance policies, are published on the University website at [Our policies | Heriot-Watt University](#)

11. FURTHER HELP AND ADVICE

Registry and Academic Support
Email: studentconduct@hw.ac.uk

Information Governance
Email: infogov@hw.ac.uk

12. POLICY VERSION AND HISTORY

Version No	Date of Approval	Approving Authority	Brief Description of Amendment
V3.1 21/07/2020	28/07/2020	University Executive	Scope of policy limited to enrolling and continuing students; procedures

APPENDIX A

LAWFUL BASIS FOR PROCESSING PERSONAL DATA ABOUT STUDENT OR APPLICANT CRIMINAL CONVICTIONS AND OFFENCES

- 1 In order to have a lawful basis for processing data about student criminal convictions and alleged offences the University must satisfy a condition under Article 6 *and* Article 10 of the GDPR and under the UK DPA 2018.

2 GDPR

The relevant Article 6(1) Conditions

(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;

(c) processing is necessary for compliance with a legal obligation to which the controller is subject;

(d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;

(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

Article 10

Processing of personal data relating to criminal convictions and offences

Processing of personal data relating to criminal convictions and offences or related security measures based on Article 6(1) shall be carried out only under the control of official authority or when the processing is authorised by Union or Member State law providing for appropriate safeguards for the rights and freedoms of data subjects. Any comprehensive register of criminal convictions shall be kept only under the control of official authority.

3. UK Data Protection Act 2018

Schedule 1

Special categories of personal data and criminal convictions etc. data

PART 2: Substantial public interest conditions

This sets out conditions for processing special categories of personal data and criminal convictions and alleged offences data where processing is authorised by UK law.

The relevant Schedule 1(2) conditions are:

10 Preventing or detecting unlawful acts

(1) This condition is met if the processing—

- (a) is necessary for the purposes of the prevention or detection of an unlawful act,
- (b) must be carried out without the consent of the data subject so as not to prejudice those purposes, and
- (c) is necessary for reasons of substantial public interest.

(2) If the processing consists of the disclosure of personal data to a competent authority, or is carried out in preparation for such disclosure, the condition in sub-paragraph (1) is met even if, when the processing is carried out, the controller does not have an appropriate policy document in place (see paragraph 5 of this Schedule).

(3) In this paragraph—

“act” includes a failure to act;

“competent authority” has the same meaning as in Part 3 of this Act (see section 30). [E.g. Police Scotland]

11 *Protecting the public against dishonesty etc.*

(1) This condition is met if the processing—

- (a) is necessary for the exercise of a protective function,
- (b) must be carried out without the consent of the data subject so as not to prejudice the exercise of that function, and
- (c) is necessary for reasons of substantial public interest.

(2) In this paragraph, “protective function” means a function which is intended to protect members of the public against—

- (a) dishonesty, malpractice or other seriously improper conduct,
- (b) unfitness or incompetence,
- (c) mismanagement in the administration of a body or association, or
- (d) failures in services provided by a body or association.

17 *Counselling etc.*

(1) This condition is met if the processing—

- (a) is necessary for the provision of confidential counselling, advice or support or of another similar service provided confidentially,
- (b) is carried out without the consent of the data subject for one of the reasons listed in sub-paragraph (2), and
- (c) is necessary for reasons of substantial public interest.

(2) The reasons mentioned in sub-paragraph (1)(b) are—

- (a) in the circumstances, consent to the processing cannot be given by the data subject;
- (b) in the circumstances, the controller cannot reasonably be expected to obtain the consent of the data subject to the processing;

(c) the processing must be carried out without the consent of the data subject because obtaining the consent of the data subject would prejudice the provision of the service mentioned in sub-paragraph (1)(a).

18 Safeguarding of children and of individuals at risk

(1) This condition is met if—

(a) the processing is necessary for the purposes of—

(i) protecting an individual from neglect or physical, mental or emotional harm,
or
(ii) protecting the physical, mental or emotional well-being of an individual,

(b) the individual is—

(i) aged under 18, or
(ii) aged 18 or over and at risk,

(c) the processing is carried out without the consent of the data subject for one of the reasons listed in sub-paragraph (2), and

(d) the processing is necessary for reasons of substantial public interest.

2) The reasons mentioned in sub-paragraph (1)(c) are—

(a) in the circumstances, consent to the processing cannot be given by the data subject;

(b) in the circumstances, the controller cannot reasonably be expected to obtain the consent of the data subject to the processing;

(c) the processing must be carried out without the consent of the data subject because obtaining the consent of the data subject would prejudice the provision of the protection mentioned in sub-paragraph (1)(a).

(3) For the purposes of this paragraph, an individual aged 18 or over is “at risk” if the controller has reasonable cause to suspect that the individual—

(a) has needs for care and support,

(b) is experiencing, or at risk of, neglect or physical, mental or emotional harm, and

(c) as a result of those needs is unable to protect himself or herself against the neglect or harm or the risk of it.

(4) In sub-paragraph (1)(a), the reference to the protection of an individual or of the well-being of an individual includes both protection relating to a particular individual and protection relating to a type of individual.

APPENDIX B

EXTRACTS FROM UNIVERSITY ORDINANCES, REGULATIONS AND DISCIPLINARY PROCEDURES

1 ORDINANCES

SECTION E - ORDINANCE 4

Student Discipline

1.1 The Ordinance is made in pursuance of clause 4.3.1 of Article 4 of the Charter and clause (xi) of paragraph 2 of Statute 5.

1.2 Every Student of the University is required at all times to be of good behaviour and to observe all Ordinances, Regulations, procedures and rules affecting him or her which may be applied from time to time by the University or other institution which he or she attends as part of a University programme of study.

1.3 It is the responsibility of a Student to acquaint himself or herself with all Ordinances, Regulations, procedures, rules, notices and other announcements which affect him or her.

1.4 Detailed procedures shall be prescribed or regulated by the Senate in Regulation 50: Student Discipline (available at <https://www.hw.ac.uk/about/profile/governance/ordinances-regulations.htm>) relating to: • classification of offences; • definition of offences; • jurisdiction of University Staff, committees and boards to deal with disciplinary matters; • constitution of committees and boards established to deal with disciplinary matters; • procedures for managing and regulating Student discipline; • appeals; • penalties; • the reporting and recording of disciplinary proceedings; and • service of notices and documents,

1.5 Where an allegation is made against a Student of breaching any Ordinance or Regulation, and the Student wishes to appeal against the decision or the penalty imposed, the matter shall be disposed of under Regulation 50.

The alleged breach shall also be disposed of under Regulation 50 if the individual empowered to consider and dispose of the alleged breach deems it necessary to do so.

2. REGULATIONS

REGULATION 50: Student Discipline

2. Definition of Misconduct

2.1 Misconduct means improper interference, in the broadest sense, with the proper functioning of activities or property of the University or any member of the Heriot-Watt Group or of those who work for, study at or are visiting the University or any member of the Heriot-Watt Group, or any other action which otherwise damages the University or any member of the Heriot-Watt Group. Any behaviour that contravenes

the University's Ordinances, Regulations, policies, procedures or rules, or is dangerous, *or is against the applicable law*, constitutes misconduct. Behaviour defined as misconduct includes acts occurring in person, by telephone, and by electronic or other means, including via public internet sites and social networking sites. A case of misconduct will be referred to as an offence.

3. STUDENT DISCIPLINE POLICY AND PROCEDURES

[The Student Discipline Policy and Procedures](#) define misconduct, inter alia as 2.2

- (l) Conduct which constitutes a criminal offence where that conduct:
- (i) takes place on University premises, or
 - (ii) affects or concerns other members of the University, or
 - (iii) damages the good name of the University, or
 - (iv) itself constitutes misconduct within the terms of these Procedures.

For the avoidance of doubt, the University may proceed under these Procedures notwithstanding the instigation or outcome of any criminal proceedings. However, the University reserves the right to defer action pending any criminal investigation or prosecution.

- (m) Failure to inform the University of being cautioned or arrested for, or charged with a criminal offence, including motoring offences (except parking or speeding offences which are subject to fixed penalties);

Misconduct and the Law

2.12 The University has a duty of care to its staff and students and therefore should be informed of any alleged criminal activity by its students. If at any time during his/her enrolment a student is cautioned or arrested for, or charged with a criminal offence, including motoring offences (except parking or speeding offences which are subject to fixed penalties) he or she shall be required to report this immediately and to report on the progress of any criminal proceedings to the Academic Registrar. If a student is sent for trial, the Academic Registrar must be kept informed at all stages either by the student or by his/her solicitor. If a student is convicted then this must also be reported along with details of any penalty or sentence imposed. The form for reporting such matters to the Academic Registrar is available at: <http://www1.hw.ac.uk/registry/discipline.htm>. Failure on behalf of a student to inform the University will be regarded as misconduct.

2.13 The University may report to the police any allegation that a criminal offence has been committed.

2.14 The University encourages any student who has been the victim of an alleged criminal offence whilst enrolled at the University to report this to the police, and, if relevant, to the University.

2.15 Where alleged misconduct constitutes a criminal offence, the University may investigate or take disciplinary action whether or not the matter has been referred to the police and whether or not criminal proceedings have begun or been completed.

2.16 The University may, at its discretion, suspend any internal investigation or disciplinary action on any alleged criminal misconduct to await the outcome of any criminal proceedings. The decision whether or not to suspend the University

disciplinary process is taken collectively by the Academic Registrar and Chair of the University Discipline Committee and would be reported to the University Discipline Committee.

2.17 The University may investigate and take disciplinary action on alleged misconduct whatever the outcome of any external proceedings about the same matter and irrespective of whether external proceedings have been concluded. Where a student is convicted of or cautioned or warned for an offence, this may be relied upon as evidence in any University proceedings provided that the circumstances leading to that conviction are directly relevant to those proceedings.

2.18 Any sentence or order pronounced by a court may be taken into account in the imposition of any disciplinary penalty.

APPENDIX C

PROCEDURES FOR REPORTING AND RISK ASSESSMENT OF RELEVANT CONVICTIONS AND OFFENCES

The following procedures apply to the UK Campuses

The Academic Registrar will determine whether these procedures will be implemented directly for all campuses or designate delegated authority to the respective Heads of Registry Dubai and Malaysia Campuses.

1. INTRODUCTION

Heriot Watt University aims to maintain a safe environment for all students and takes appropriate steps to protect students, staff and other members of the University community. For this reason, the University will collect and record information on any relevant offences committed by, or any ongoing criminal investigations relating to, a student at Heriot Watt University.

Where a new or continuing student has disclosed relevant unspent criminal convictions, or alleged offences, that have the potential to affect a student's ability to study on campus or present risk of harm to other members of the University community (as outlined in the Student Criminal Offences Policy) the following procedures will apply.

2. REPORTING AND RISK ASSESSMENT AT ENROLMENT

- 2.1** Where students have ticked the Criminal Conviction Disclosure Box during online enrolment an email will be sent to the Student Conduct mailbox marked Student Disclosure. This email will only contain the student registration number of the student making the disclosure. No other information will be contained in the e-mail.
- 2.2** The Senior Student Conduct Officer, or nominee, will contact the student to establish the nature of the conviction or alleged offence(s).
- 2.3** The Senior Student Conduct Officer, in conjunction with the Head of Academic Secretariat, Regulation and Policy Division (or nominee), will then assess the information provided and undertake a risk assessment in consultation with relevant members of staff to assess the measures required to minimise any potential or identified risk deemed necessary in respect of that student.
- 2.4** The Academic Registrar, or the Deputy Registrar, must be consulted where it is identified that the student potentially poses an unacceptable risk to the University Community.

3. MITIGATING ACTIONS AND SUPPORT

- 3.1** The outcomes of a risk assessment may involve one or more of the following actions, which is not an exhaustive list and is subject to change without notification:
 - i. No action required

- ii. A recommendation to avoid particular buildings/areas/people
- iii. A suspension from part of a University building or service for a period appropriate in line with criminal proceedings
- iv. Review of University accommodation contract, with the option to reallocate or terminate on-campus accommodation.
- v. A formal case meeting(s) to be scheduled with the student; which may involve the Academic Registrar/Deputy Registrar

Efforts will be made to support students involved in criminal proceedings prior to a judgement being reached externally, and, where possible, the University will seek to facilitate the continuation of academic studies to all parties during this time.

Where a student's continuation at University accommodation is deemed to pose a significant risk, then the University will make every effort to support the student's reallocation to suitable off-campus dwellings.

4. REPORTING AFTER ENROLMENT

- 4.1** Where a criminal charge or conviction emerges after the enrolment period students must notify the University within 2 working days of being informed/notified of the charge or conviction by email titled Student Disclosure to studentconduct@hw.ac.uk. Disclosures which are made after the academic year is underway will be managed in the same way as disclosures made during the enrolment process.
- 4.2** If a student is found guilty of an offence in a criminal court, the University may take disciplinary action against that student in respect of the same matter, in so far as deciding whether or not the student is a fit and proper person to continue as a member of the University or to reside in University accommodation.
- 4.3** If the University receives information that a current student has been responsible for a criminal offence, an investigation will follow. The Senior Student Conduct Officer, or nominee, will contact the student to determine the situation. Where the information received is unverified, the Senior Student Conduct Officer, or nominee, will attempt to verify the information prior to contacting the student. If a current student has failed to disclose details of a criminal conviction or proceedings, a risk assessment will be carried out as soon as possible, and disciplinary action may be taken at this stage.

5. RECORD KEEPING, SECURITY AND DISCLOSURE

- 5.1** The Academic Registrar will designate the Senior Student Conduct Officer or another appropriate officer as the custodian of each declaration case file. The custodian will retain the files in a secure University electronic system with access strictly limited to the Academic Registrar and their designates, who may include the Senior Student Wellbeing Officer.

Information may be disclosed to other University personnel only where strictly necessary to assess or mitigate the relevant risks and only as much information as necessary for the purpose.

Information relating to an identifiable student may only be disclosed to any third party such as the Police or social services only if an appropriate data sharing agreement is in place or the disclosure is otherwise required by law or necessary for the vital interests of the individual or another person.

Disclosure protocols will be agreed with the Academic Registrar (or Deputy) and the University Data Protection Officer (or nominee), who must be consulted prior to any disclosure that does not fall within the protocol.

- 5.2** Students may exercise their rights under data protection law by contacting dataprotection@hw.ac.uk.

Further details of these rights are in the University Data Protection Policy and the Privacy Notice for Students.

- 5.3** The Senior Student Conduct Officer is responsible for will apply the following records retention policy in relation to criminal convictions data.

Where the disclosure has been made unnecessarily (e.g. for a minor offence that does not fall within the scope of this policy):
Destroy data immediately after assessment.

Where the disclosure falls within the scope of this policy:
Destroy data six years after year of leaving.

Electronic records to be securely deleted beyond recovery and paper records in a crosscut shredder or certified confidential destruction service.

6. FURTHER HELP AND ADVICE

Registry and Academic Support
Email: studentconduct@hw.ac.uk

Information Governance
Email: infogov@hw.ac.uk