**The Data Controller of the information being collected is: The University of the Highlands and Islands (UHI), Executive Office, 12B Ness Walk, Inverness IV3 5SQ. Phone: 01463 279000.**

**For any queries or concerns about how your personal data is being processed you can contact the relevant Data Protection Officer at** dataprotectionofficer@uhi.ac.uk

**This privacy statement relates to the following processing:**

Assessment Appeals

Under section 18 of the University Academic Standards and Quality Regulations, and as part of their contract with the University, the Assessment Appeals process aims to provide a fair, accessible and timely process for students to request a review of an assessment decision made by the university, where there are grounds to do so. These procedures are applicable to all higher education students, including those enrolled on programmes leading to qualifications of SQA and other awarding bodies, and postgraduate research (PGR) students.

These procedures are not applicable to decisions made through other university processes, such as disciplinary or academic misconduct procedures, nor to procedures undertaken by or with relevant professional, statutory or regulatory bodies, such as fitness to practise processes.

**Your information will be used for the following purposes:**

|  |  |
| --- | --- |
| **Purpose 1:** Stage 1 - Informal Procedure | A student who believes that they have grounds for appealing against the decision of an academic assessment body should, in the first instance, discuss the matter with the appropriate staff in their Home Academic Partner. This is likely to be the lecturer, Personal Academic Tutor or programme leader, or Director of Studies (for PGR students). This should normally be done within ten working days of the assessment decision being notified to the student. [Academic Regulations Section 18.13](https://www.uhi.ac.uk/en/about-uhi/governance/policies-and-regulations/regulations/regulations-2018-19/) |
| **Purpose 2:** Stage 2 – Formal Procedure | If the matter is not resolved through the informal procedure, a student who wishes to appeal should do so in writing, setting out the reasons for the appeal and including documentary evidence, using the appeals proforma. This should be sent to the appropriate senior manager in the student’s HAP (students will be provided with this person’s name and contact details at induction), normally within 15 working days of the assessment decision being notified to the student. [Academic Regulations Section 18.14](https://www.uhi.ac.uk/en/about-uhi/governance/policies-and-regulations/regulations/regulations-2018-19/) |
| **Purpose 3:** Stage 3 – Appeal to chair of Academic Council | On receipt of an appeal referred from Stage 2, the chair of Academic Council (or nominee) will refer the case to the Dean of Students, who will review the student’s request, the evidence in the case file compiled at Stage 2 and any additional evidence submitted. [Academic Regulations Section 18.20](https://www.uhi.ac.uk/en/about-uhi/governance/policies-and-regulations/regulations/regulations-2018-19/) |

**Our legal reasons for using the data are:**

|  |  |
| --- | --- |
| **To achieve the following purposes:** | Purpose 1: Stage 1 - Informal procedure Purpose 2: Stage 2 - Formal procedurePurpose 3: Stage 3 - Appeal Processing |
| **Our legal reason to use the data is:** Use is necessary for the performance of a contract with you or to take steps, at your request, before entering into such a contract. That contract being between the university and its students, research staff and other parties to provide educational and other products and/or services.  |
| **To achieve the following purposes:** | Purpose 1: Informal procedure Purpose 2: Formal procedure Purpose 3: Appeal Processing |
| **Our legal reason to use the data is:** Use is necessary for us to comply with a legal obligation. Those legal obligations being the return of statistical data and reports to satisfy various agencies that the university's academic standards and funding arrangements and are sufficient and our obligations are being met.  |
| **To achieve the following purposes:** | Purpose 1: Informal procedure Purpose 2: Formal procedure Purpose 3: Appeal Processing |
| **Our legal reason to use the data is:** Use is necessary for the performing a task in the public interest or under official authority vested in us. That being the university's public task as an educational establishment. |

**\*Please note**: each assessment appeal lodged with the University is judged independently and on its own merits. Given the wide ranging nature of circumstances which may be taken into consideration, on a case by case basis, an alternative lawful basis may be applied as and where deemed necessary.

**If you were to withhold the personal information we require for the academic misconduct process, the consequences would be:**

**Purposes 1-3:** – where the student withholds relevant information, this will reduce the likelihood of their appeal being upheld.

**Your data will, or may, be shared with the following recipients or categories of recipient:**

|  |  |
| --- | --- |
| **Purpose 1:** Stage 1 - Informal procedure | * Lecturer
* Programme Leader
* Personal Academic Tutor
* Director of Studies (PGR students)
 |
| **Purpose 2:** Stage 2 - Formal Investigation | * Named senior manager Home Academic Partner
* Chair of academic assessment body
* Lecturer
* Programme Leader
* Personal Academic Tutor
* Director of Studies (PGR students)Relevant members of academic assessment body including where necessary External Examiners
 |
| **Purpose 3:** Stage 3 – Appeals Panel  | * Chair of Academic Council
* Dean of Students
* Appeals Panel members
 |

**Limited personal data will, or may, be shared with contracted third parties to enable provision of services for the purposes of teaching, learning and administrative support and IT provisioning. This includes:**

|  |
| --- |
| * + Microsoft for student email accounts
 |

**This process involves your data being sent outside of the European Union. The following safeguard is in place for this international transfer:**

|  |
| --- |
| We transfer data to the USA for Turnitin plagiarism software, the data transferred comprises;* Student ID
* Student’s university email address
* Student’s assessment (their own work, as submitted in the course of study)

This is a system data transfer from the Virtual Learning Environment (VLE) directly to the originality software (Turnitin). This data is transferred for processing to ensure student work is original and the university is making awards based on original student work.  |

**This relevant protection in place for this international transfer:**

|  |
| --- |
| The data is transferred to Turnitin LLC in the USA under the European Commission’s adequacy decision regarding the protection provided by the EU-U.S. Privacy Shield. |

**Your data will be retained in the university student records system and accordance with the student records system retention schedule; a summary of which can be accessed** [**here**](https://myuhi.sharepoint.com/%3Aw%3A/r/_layouts/15/Doc.aspx?sourcedoc=%7B91E68E00-D051-4318-8DEC-5E211DE12CFC%7D&file=University%20retention%20and%20disposal%20policy.docx&action=default&mobileredirect=true)

 **The following rights are rights of data subjects:**

• The right to access your personal data

• The right to rectification if the personal data we hold about you is incorrect

• The right to restrict processing of your personal data

**The following rights apply only in certain circumstances:**

*•* Theright to withdraw consent at any time if consent is our lawful basis for processing your data

• The right to object to our processing of your personal data

• The right to request erasure (deletion) of your personal data

• The right to data portability

**You also have the right to lodge a complaint with the Information Commissioner’s Office about our handling of your data.**

**The Information Commissioner’s Office is UK’s independent authority set up to uphold information rights in the public interest. Their website is** [www.ico.org.uk](http://www.ico.org.uk)