**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](mailto:dataprotectionofficer@uhi.ac.uk)

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

Mitigating Circumstances and Repeat Year claims

The University has a duty to all students to ensure that assessments are conducted fairly, and that students have the opportunity to demonstrate their true level of academic performance.

More detailed information on the operation of Mitigating Circumstances (MC) and Repeat Year processes can be found in the University [Academic Standards and Quality Regulations](https://www.uhi.ac.uk/en/t4-media/one-web/university/about-uhi/governance/policies-and-regulations/regulations/2018-19/appendixh-mitigatingcircumstances_2018-19.pdf) and via [UHI Records](https://www.studentjourney.uhi.ac.uk)

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

|  |  |
| --- | --- |
| **Purpose 1:** | Preparation of claim documentation for the Faculty Panel: MC claims are submitted via the secure on-line claim process at https: [www.studentjourney.uhi.ac.uk](http://www.studentjourney.uhi.ac.uk).  The Students Personal Academic Tutor (PAT) must endorse claims, before moving to the next stage which, is consideration by the Faculty Panel. |
| **Purpose 2:** | Consideration of claim by the Faculty Panel: claims and supporting evidence, will be considered by a Faculty Mitigating Circumstances Panel (MCP).  The MCP will be chaired by an Exam Board Chair, and supported by an exam clerk. |
| **Purpose 3:** | Recording of Faculty Panel decision and input in SITs: Where the MCP accepts a claim the associated module grade will be overtyped in SITs with ‘MC’ |

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

* 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, staff and other parties to provide educational and other products and/or services.
* 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 conditions of funding are sufficient and our obligations are being met.
* Use is necessary for 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.

**The data we use during the Mitigating Circumstances and Repeat Year processes may include special category (sensitive) data. You are not obliged to provide this information. Our legal reason for using this sensitive data, as provided, is explicit consent. In order to ensure that your explicit consent is obtained you will be asked to verify your permission to use personal data, if required, as part of the online claims process.**

All special sensitive data is stored in a secure location. Data is anonymised and used for the sole purpose of providing statistical analysis on protected characteristics to monitor compliance with the Equality Act 2010.

**\*Please note:** every claim 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 Mitigating Circumstances or Repeat Year process, the consequences would be:**

|  |  |
| --- | --- |
| Purpose 1: Claim preparation  Purpose 2: Panel decision  Purpose 3: Recording of decision | **Claims made which do not have sufficient relevant evidence will not be approved by the Faculty Panel and penalties will be applied to assessments as normal.** |

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

|  |  |
| --- | --- |
| **Purpose 1:**  Claim preparation | * Personal academic tutor * Clerk to the Panel |
| **Purpose 2:**  Panel consideration | * Chair of Board of Examiners * Programme Leader * Personal Academic Tutor * Clerk to the Panel |
| **Purpose 3:**  Recording of decision | * Clerk to the Panel |

**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/:w:/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)