

## Appendix B

### **Policy on the use of personal information under the Procedure for consideration of cases of student on student physical misconduct, sexual misconduct and abusive behaviour**

***A copy is to be provided to the Reporting Student and the Respondent Student at the earliest contact.***

1. Pembroke College has published a general statement which explains how it uses students' personal information  
[https://www.pem.cam.ac.uk/sites/default/files/downloads/privacy\\_notice\\_students.pdf](https://www.pem.cam.ac.uk/sites/default/files/downloads/privacy_notice_students.pdf) . This statement provides information about how the College will use your personal information if you are a Reporting Student or a Respondent Student in a case considered under the procedure for consideration of cases of student on student physical misconduct, sexual misconduct and abusive behaviour. Most of the information is already covered by the general statement, but there are some additional uses of personal data that need to be brought to your attention.
2. A summary of the information you provide as part of the procedure and the documents relating to the procedure (e.g. a record of any actions and decisions and the dates they were taken; the dates of meetings) will be stored in a computer database which can be accessed by staff in the Tutorial Office. This data will be used to compile anonymous statistics about the use of the procedure. Those involved in the case may also make notes at meetings with you; you will be given an opportunity to comment on a written-up copy of those notes so that they can become an agreed part of the record. The information held by the Senior Tutor may be shared with others in the course of dealing with the complaint, and will be treated confidentially in line with the College's general statement on use of personal information.
3. It should be assumed that any information provided by one student during this procedure shall be shared with the other student. If you have concerns about this, you should seek advice from the Senior Tutor who has discretion to withhold information in exceptional circumstances.
4. The Senior Tutor and Tutor of either the Reporting Student or Respondent Student shall normally be provided with a summary of the reported matter and the names of both students, so that they are aware and able to assist in providing support:

In some cases, it may also be deemed appropriate to inform the following:

Your Head of Department or Faculty

Your Supervisor (if you are a research student)

The College will aim to seek consent for sharing information with those listed above, but in exceptional cases may decide that such sharing of information without consent is necessary, for example, because it is in the public interest or to protect the interests of the Reporting Student or Respondent Student. These decisions will be taken on a case-by-case basis, bearing in mind all the circumstances of the particular case. You will be informed of the intention to share the information and the reasons before it is shared.

5. The College will normally respect the wishes of a person who is the victim of a crime and does not wish to report the matter to the Police. However, in exceptional circumstances, where the facts as they emerge give rise to concerns that there is a significant risk to members of the community, the Senior Tutor may make an executive decision to refer the matter to the Police. Unless there are exceptional reasons related to the case, the Reporting Student will be informed of the intention to report the matter to the Police and the reasons before doing so.

6. Any admission made in the course of this procedure (including any made in an agreement reached during mediation, informal discussions or during subsequent disciplinary proceedings) may be used as evidence in any subsequent proceedings in a court of law.
7. Any admission made in the course of this procedure may also be used as evidence in College disciplinary proceedings, but the College will abide by the confidentiality of a mediation agreement and will not seek to use it in evidence.
8. If you have any questions or concerns about this statement, please contact the Senior Tutor in the first instance.