



Special Category and Criminal Offence Data

What are the 'special categories of personal data'?

While all types of personal data require secure and proper handling, data protection legislation specifies some types of personal data which are likely to be more sensitive and which require a greater level of security and governance. These are called 'special categories of personal data'.

Norland processes these categories of personal data for a limited range of purposes and only where necessary. These types of data are listed below:

- personal data revealing racial or ethnic origin
- personal data revealing political opinions
- personal data revealing religious or philosophical beliefs
- personal data revealing trade union membership
- data concerning health
- data concerning a person's sex life
- data concerning a person's sexual orientation.

What is 'criminal conviction data'?

We also process some criminal offence data (although we only do this for limited purposes). This type of data includes information about criminal allegations, convictions and proceedings. It also includes information linked to security measures and restrictions such as bail conditions, cautions and restraining orders and less obvious types of information such as personal data relating to witnesses, victims of crime and the absence of any criminal records or convictions and details of allegations (proven and unproven). It may also include information about civil measures which may lead to a criminal conviction of not adhered to.

How do we process these types of data and remain compliant with legislation?

Due to the sensitive and impactful nature of these categories of data, we need to have additional security measures in place to keep it safe. We take steps to stop this data being lost, stolen or disclosed inappropriately and we make sure that the correct controls are in place before we start to process the data. For example, we may consider completing a Privacy Impact Assessment (PIA) or we may use differing handling methods as appropriate. Other measures include breach management, contract reviews, up to date record keeping and reviews of data protection legislation in advance of new processing. We must also consider the implications of publishing data about specific individuals, even for legitimate purposes, as there could be a risk of inadvertently disclosing or processing special category data as a result. This might affect the individual directly or another person, so we need to think about the implications of publications at all times.

In addition to these measures, we must also identify a specific reason for processing each of these types of data when we process them. We must also meet the conditions set out in legislation to ensure our processing is lawful.



The conditions that we, as a Data Controller, need to meet are detailed in the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. In the UK GDPR, there are ten conditions for processing special categories of personal data in Article 9, and in the Data Protection Act 2018, they can be found detailed in Schedule 1, where you can also find details of the conditions for processing criminal conviction data.

Not all of the conditions for processing which are listed out in the legislation apply to Norland, so we do not use all of them. Those that we commonly use are listed below.

- The lawful basis that we often rely on to process such data is consent. This means “any freely given, specific, informed and unambiguous indication” of an individual’s wishes or agreement to the processing of their personal data.
- We also process special categories of personal data for:
 - Employment, social security and social protection purposes
 - Health or social care purposes
 - Safeguarding of children and of individuals at risk
 - Equality of opportunity or treatment
 - Regulatory requirements relating to unlawful acts or dishonesty
 - Counselling and other support
 - Managing legal claims and proceedings

For further information about how Norland processes criminal conviction data and special categories of personal data, please refer to the Appropriate Processing Document.

Any further queries about how Norland processes special categories of personal data or criminal offence data should be referred to the Pro Vice Chancellor (HR & Compliance).

Document Control Information	
Policy title:	Special Category and Criminal Offence Data
Summary description:	Special category data includes particularly sensitive personal information, such as details about an individual’s health, racial or ethnic origin, religious beliefs, political opinions, trade union membership, sex life or sexual orientation, as well as certain criminal conviction and offence data. Norland only processes this information where necessary and lawful, applies enhanced security measures to protect it, and ensures appropriate legal conditions are met before processing. Further information can be found in the Appropriate Processing Document, and any queries should be directed to the PVC (HR and Compliance).

Relates to staff/ student (include Set), NQN or Norlander:	All users
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Housekeeping updates only:	N/A
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Upload to website:	Yes