

FINAL Governor Applicant Privacy Statement

Who does this notice apply to?

All members of the public who are applying for Governor/Corporation Member positions as advertised by Heart of Worcestershire College.

Who is the Data controller?

Heart of Worcestershire College

Address: Osprey House, Albert Street Redditch B97 4DE

Web: www.howcollege.ac.uk

Email: dataprotection@howcollege.ac.uk

Why do we collect personal information?

As part of any recruitment process, the College collects and processes personal data relating to applicants under GDPR Article 6c (Legal Obligation), and 6e (Public Task) and carry out our legal duties under the Education Acts and the Instrument and Articles of Government. Heart of Worcestershire College is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

What information does the organisation collect?

The College collects a range of information about you. This includes:

- Your name, **date of birth**, address and contact details, including email address and telephone number
- Details of your qualifications, skills, experience and employment history
- Whether or not you have a disability for which the college needs to make reasonable adjustments during the recruitment process
- Equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief
- Reference contact details
- A Skills Audit so that we can assess how the skills you offer meet the skills needs of the Corporation
- An Eligibility Declaration – some people are disqualified by law from acting as charity trustees
- Register of Interests - in connection with your interests and those of persons connected to you (including close family and business acquaintances). This includes paid employment; self employment; directorships of commercial companies; significant shareholdings (those in a public or private company or body which have a nominal value greater than £50,000, or greater than 1% of the issued share capital of the company); interest in company/ organisation that does business with Heart of Worcestershire College; elected office; public appointment (paid or unpaid); Trusteeship or participation in the management of charities and other voluntary bodies; membership of professional bodies and trade or other associations; Partnerships in business or professional partnerships and membership of closed organisations. We collect this information so that we can identify possible conflicts of interest, i.e. situations where your interests may (or may appear to) influence your decision making. The Register of Interests is available to the public.
- For elected Members, biographical details, statement and photos for the voting process

How is this collected?

The College will collect this information in a variety of ways. For example, data might be contained in application forms, other forms such as Register of Interest forms, CVs, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment.

The College may also collect personal data about you from third parties, such as references supplied by former employers and information from criminal records checks. The College will seek information from third parties other than referees only once an offer to you has been made and will inform you that it is doing so.

We will collect references from your referees which will be included in Governance and Search Committee papers but not shared with anyone else or made public.

Where do we store data?

Data will be stored in a range of different places, including on your application record (electronic), in Governance and Search Committee and Corporation record systems (paper based and electronic) and on other IT systems (including email).

Why does the College process personal data?

The College needs to process data to take steps at your request prior to an appointment. It may also need to process your data to enter into a contract with you. In some cases, the College needs to process data to ensure that it is complying with its legal obligations.

The College has a legitimate interest in processing personal data during the recruitment process and for keeping records. Processing data from applicants allows the College to manage the recruitment process, assess and confirm a candidate's suitability for appointment and decide to whom to offer a position. The College may also need to process data from applicants to respond to and defend against legal claims. The College may process information about whether or not applicants are disabled to make reasonable adjustments for candidates who have a disability. This is to carry out its obligations and exercise specific rights.

Where the College processes other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes.

The College is obliged to seek information about criminal convictions and offences. Where the College seeks this information, it does so because it is necessary for it to carry out its obligations in terms of safeguarding and exercise specific rights in relation to appointment.

The College will not use your data for any purpose other than

- The recruitment exercise for which you have applied
- Annual reports to the Corporation, where all data for all applicants is anonymised

If your application is unsuccessful, the College may keep your personal data on file in case there are future opportunities for which you may be suited. The College will ask for your consent before it keeps your data for this purpose and you are free to withdraw your consent at any time.

Who has access to data?

Your information may be shared internally and with Governors for the purposes of the recruitment exercise. This includes members of the Principal's Secretariat, HR, the Governance and Search Committee and the Corporation.

Your application will be included in Governance and Search Committee papers. Your name, involvement in the appointment process and the outcome of consideration of your application will be included in the Governance and Search Committee Minutes which are publicly available on the College website and which form part of the Corporation papers. The names of applicants recommended for appointment will be recorded in Corporation Minutes which are publicly available on the College website.

The College will not share your data with third parties, other than referees, unless your application is successful and it makes you an offer of a role within the Corporation. The College will then share your data with the Disclosure and Barring Service to obtain necessary criminal records checks.

The College will not transfer your data outside the European Economic Area.

How does the College protect data?

The College takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

For how long does the College keep data?

If your application for appointment is unsuccessful, the College will hold your data on file for 12 months after the end of the relevant recruitment process. At the end of the period or once you withdraw your consent, your data is deleted/destroyed. If your application for appointment is successful, personal data gathered during the recruitment process will be transferred to the Corporation records and retained during your appointment. The periods for which your data will be held will be provided to you in a new privacy notice.

Your rights

As a data subject, you have a number of rights. You can:

- Access and obtain a copy of your data on request
- Require the college to change incorrect or incomplete data
- Require the college to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing
- Object to the processing of your data where the college is relying on its legitimate interests as the legal ground for processing

If you would like to exercise any of these rights, please contact the Data Protection Officer at dataprotection@howcollege.ac.uk or contact the Reception.

Who can I complain to?

If you believe that the College has not complied with your data protection rights, you can complain to the Information Commissioner. Link provided below:

<https://ico.org.uk/>

What if you do not provide personal data?

You are under no statutory or contractual obligation to provide data to the College during the recruitment process. However, if you do not provide the information, the College may not be able to process your application properly or at all.

Sue Frost

Clerk to the Corporation

12 August 2019