



## **Governor/Corporation Member and Co-opted Committee Member Privacy Statement**

### **Who does this notice apply to:**

All Governors/Corporation Members and Co-opted Committee Members at Heart of Worcestershire College.

Revision Date: September 2021

### **Who is the Data controller?**

Heart of Worcestershire College

Address: Peakman Campus, Peakman Street, Redditch, Worcestershire B98 8DW

Web: [www.howcollege.ac.uk](http://www.howcollege.ac.uk)

Email: [dataprotection@howcollege.ac.uk](mailto:dataprotection@howcollege.ac.uk)

### **Why do we collect personal information?**

The College collects and processes personal data relating to its Governors to manage the Governance of the College. The College is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

During the course of your appointment with the College it may be necessary to capture personal data in relation to College and Corporation policies and processes, either informally or formally. Examples of this would be contact details and Register of Interests information. Any data collected as a result of any College or Corporation process will be kept in accordance with the GDPR regulations.

### **What information does the College collect?**

We collect the following personal data under GDPR Article 6c (Legal Obligation), and 6e (Public Task) in order to meet our legal obligations and carry out our legal duties under the Education Acts and the Instrument and Articles of Government:

- Information submitted in the application process, including your name, address and contact details, including email address and telephone number; details of your qualifications, skills, experience and employment history
- References
- Details of your bank account and national insurance number
- Information about your third party and emergency contacts
- Information about your nationality
- Information about your criminal record; e-safe/DBS
- Information about medical or health conditions, including whether or not you have a disability for which the College needs to make reasonable adjustments
- Equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief
- Photos and images
- Biographical details, statement and photos for the College website
- An annual Skills Audit so that we can assess how the skills you offer meet the skills needs of the Corporation

- An annual Eligibility Declaration – some people are disqualified by law from acting as charity trustees
- An annual 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.

### **How is this collected?**

The College will collect this information in a variety of ways. For example, through your completed application form and CV; from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during appointment; from correspondence with you; or through interviews, meetings or other assessments.

The College will collect personal data about you from third parties, such as references supplied by former employers and information from criminal records checks permitted by law.

### **Where do we store data?**

Data will be stored in a range of different places, including in governance records (paper based and electronic), in Corporation, Corporation Committee and other College Group or Committee records (paper based and electronic) and in other IT systems (including the College's email system).

### **Why does the College process personal data?**

The College needs to process data to provide an effective governance service to the Corporation. For example, it needs to be able to contact you with dates of events and papers for meetings and pay approved expenses.

In some cases, the College needs to process data to ensure that it is complying with its legal obligations. For example, to comply with health and safety laws and provide an accurate record of meetings, including attendance, in public Minutes.

In other cases, the College has a legitimate interest in processing personal data before, during and after the end of the appointment relationship. Processing Corporation data allows the College to:

- Operate recruitment processes
- Maintain accurate and up-to-date records and contact details (including details of who to contact in the event of an emergency)
- Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace
- Operate and keep a record of governor training
- Operate and keep a record of attendance and absence and absence management procedures, to allow effective corporation management for succession planning purposes
- Obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities and meet its obligations under health and safety law

- Ensure effective general corporation, hr and business administration
- Respond to and defend against legal claims
- Maintain and promote equality in the workplace

The college will take photos of Governors which will be used to maintain security and to assist staff in carrying out their tasks. Photos or videos taken for marketing or education purposes will not be published without consent.

Some special categories of personal data, such as information about health or medical conditions, are processed to carry out legal obligations (such as those in relation to Governors with disabilities).

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

### **Who has access to data?**

Your information may be shared internally, including with Governors, members of the Principal's Secretariat, the Corporation, Corporation Committees and other College Groups or Committees and HR and IT staff if access to the data is necessary for performance of their roles.

Where HoW College engages non-statutory third parties to process personal data on its behalf, we require them to do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

The organisation shares your data with third parties where there is a legal obligation, including DBS, HMRC.

The College may also share your data with third parties in the context of a sale of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.

### **Do we process data outside the EEA?**

HoW College will not store your data in countries outside the European Economic Area. Data stored outside the UK but in the EEA is currently offered the same protection as data stored in the UK, under BREXIT arrangements. HoWC will monitor this situation in case of changes in the future. In rare cases where a support team from outside the EEA needs access to data to rectify a software fault, we have strict agreements which involve anonymisation of data, and deletion of any personal data as soon as the problem is rectified.

### **How does the College protect data?**

The College takes the security of your data seriously. The College has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. The Data Protection (GDPR) Policy is available to view on our website, or can be obtained in a paper version by contacting the HR Team.

Where the College engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and al measures to ensure the security of data.

### **For how long does the College keep data?**

The College will hold your personal data for the duration of your appointment. The periods for which your data is held after the end of appointment are set out in the Data Retention policy.

### **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 leave the College, we will delete all personal data which is no longer needed such as emergency contacts and bank account details. However we are required to keep much of the data for a number of years for legal reasons, e.g. in case of a legal claim, or to demonstrate compliance with laws. Full details are provided in our data retention policy which is available on our website.

If you would like to exercise any of these rights, please contact the Data Protection Officer at [dataprotection@howcollege.ac.uk](mailto: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 have some legal obligations under your appointment to provide the College with data. For example, you are required to report changes to the Register of Interests. You will also provide data as part of the process of public record keeping (for example being recorded in Minutes of meetings) and to ensure effective communication (for example your contact details). Failure to provide such information will hinder the College's ability to administer the governance relationship efficiently.