

# Privacy Notice for Governors and Directors at the College

## Notice about how we use your personal information

South & City College Birmingham is the data controller of personal information about you.

Our Data Protection Officer is Parveen Ghulam. If you have any questions about this privacy notice or the ways in which we use your personal information, please contact our Data Protection Officer at High Street, Deritend, Birmingham, B5 5SU or [data.controller@sccb.ac.uk](mailto:data.controller@sccb.ac.uk)

This privacy notice has been prepared in accordance with the General Data Protection Regulation (EU) 2016/679 ("GDPR") and the Data Protection Act 2018.

Which College Department would you like more information about?

1. [Governors](#)

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## 1. **Governors**

### WHAT WOULD YOU LIKE TO KNOW ABOUT?

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## **The information we collect about you and why we collect it**

As a Governor we may collect your personal and employment details about you, including:

- Details about yourself including your name, date of birth, contact details including address, telephone number and email address
- Details of criminal convictions information including information about your previous address if applicable,
- Details of your previous qualification, employment and educational history
- Your register of interests such as current employment; appointments (voluntary or otherwise); membership of professional bodies, groups or organisations; companies in which you hold more than 1% of the share capital; gifts or hospitality in excess of £50 accepted in the last 12 months; any other interests not covered by the above. The College also collects data on third party payments to governors and payment of expenses.
- Images of you (photos or videos). The College relies on your permission for processing your personal image. That consent must be freely given and can be withdrawn at any time by contacting the Clerk. The Clerk will contact you for your consent.
- Attendance records for meetings and events
- Training attended with outcomes of any assessments conducted (such as Prevent)

We will use your information for the following reasons:

- contacting you regarding meetings and other relevant events.
- sending event invitations and making necessary hotel reservations
- For auditing purposes , internal and external.
- Using your register of 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 College is required to make this information available to the public on request. Relevant information about payment of expenses to governors or related third parties is published in the College's annual reports and financial statements.
- We will use your name to identify your contributions within the minutes of all Corporation and Committee meetings, these are public records and will be published on the College web site. You have the opportunity to object to this prior to approval of the minutes.
- Your images may be used to promote the role and identity of Governors inside the College and externally in publicity material, such as adverts, information leaflets, newsletters, press releases or on the internet (websites), to raise awareness of the services provided by the College. These images will be stored in a database and may be used for publication (as described above) and will be viewed by the public.

Your personal information is created, stored and transmitted securely in a variety of paper and electronic formats, including databases. Access to your personal information is limited to the College staff who have a legitimate interest in it for the

purpose of carrying out their contractual duties our use of your personal information will not be excessive. Other Governors and Directors will be able to see your email address if group emails are sent that expose your address; and they may use this for the purpose of contacting other governors solely to progress the business of College and companies within its group.

In addition to this, the College may process some information about you that is classed as 'sensitive' or 'special category' personal data, which requires additional protections.

This includes information concerning your ethnicity, sexual orientation, religious beliefs, health or disability that we use for planning and monitoring purposes, or in order to provide suitable adjustments. Access to, and the sharing of your 'sensitive' personal data are controlled very carefully. You will normally be given further details about our use of any such data when we collect it from you.

- SCCB is committed to promoting equality of opportunity, eliminating unlawful discrimination and encouraging good relations between different groups. This includes not discriminating under the Equality Act 2010, and building an accurate picture of the make-up of the workforce/Governing Body. In order to monitor diversity effectively, it is necessary to collect personal information across all nine of the protected characteristics under the Equality Act 2010: age, sex, marital status, colour, nationality, ethnic origins, religion, sexual orientation or disability. The College needs your help and co-operation to do this.

The College will process your personal information for a range of contractual, statutory or public interest purposes including the following:

- To assess your governor application to the College
- To provide an ID card. To enable your participation at events (e.g. functions and student graduation).
- To communicate effectively with you by post, email and phone, including the distribution of relevant newsletters and circulars.
- To operate security (including CCTV), complaint, audit and quality assurance processes and arrangements.
- To support your training requirements.
- To compile statistics and conduct research for internal and statutory reporting purposes
- The College processes equality monitoring data confidentially and securely. The Clerk and Corporation Co-ordinator will collate the information into anonymised reports and then securely destroy individual returns. Anonymised data may be included in equality information published by the College and used to assess the effectiveness of the College's Equality and Diversity Policy; assist with governor succession planning and for monitoring the achievement of the College's equality objectives
- The Chair's personal email address will be made available to the FE Commissioner and relevant contacts at the Education and Skills Funding Agency on request where they need direct contact with the Chair. We will always request out of date data to be deleted when we provide data about a new appointment.

- The College processes Directors data including your name, title, role, date of appointment, your nationality, your date of birth, the number of appointments you hold, your address because it is required to do so either by regulations made by the Secretary of State for Education or because it is required to do so as a contractual obligation under its funding agreements with the Education and Skills Funding Agency. It may also be required for the Statutory Registers for Governors and Directors.

## **The legal basis on which we collect and use your personal information**

Generally, the information that is collected is processed as part of our public interest task of providing education to you.

- the Corporation is under a legal obligation, under the *Further and Higher Education Act 1992*, to maintain a Governing Body as its senior decision-making body. The Corporation's Instrument and Articles, require the Corporation to maintain contact with governors to conduct the College's business and the information above is necessary for these purposes. Governors are responsible for updating the Clerk about changes to the data to ensure it is kept up to date and accurate.
- the Corporation provides education and training for children and vulnerable adults, and under the Children Act 2004 has a statutory duty to safeguard and promote the welfare of its learners.
- the College, as an exempt charity under the Charities Act 2011, as amended, has a statutory duty to ensure that its Governors are eligible to act as trustees and therefore collects their declarations and conducts checks to satisfy this requirement.

Where that information is special category personal information (e.g. ethnicity) we will process it as there is a substantial public interest for us to do so.

## **How long we keep your personal information**

- The College retains governor register of interests information for six complete financial years after the year in which a person has ceased to be a governor to cover the normal limitation period for any legal claims arising. This information also includes your contact details at the time when each declaration was made or updated.
- The Corporation and Committee minutes shall be kept for an indefinite period, in line with the College Data Retention Policy.
- Information resulting from DBS checks will be kept to confirm that they have been completed and the Corporation's decision to appoint a governor or otherwise.

- The College Annual Reports and Financial Statements, which contain summary information for governors' appointment and participation in corporation business, are retained for the duration of the College's existence as a statutory corporation
- The College will retain data for the period of time required by the Companies Act 2006 or successor legislation
- Where you withdraw your consent for use of your images or your appointment terminates, the College will make reasonable efforts to cease processing your image. Should you give consent, you should be aware that the College may continue to retain your images in printed media for up to 12 months after your appointment has termination or you have withdrawn your consent. This is because prospectuses and paper-based media are updated on an annual basis.

## How we share your personal information

We may share the personal information that you give us with the following organisations below for the purpose of completing your appointment as Governor/Director to the College

We may also share your personal information that you give us, with the following organisations below, together with their purposes and services:

<b>Organisations</b>	<b>Purpose/Service</b>
Government Disclosure Barring Service (DBS)	To check whether you have any previous convictions, which would make you unsuitable for working with children and young people.
Audit Firms	To carry out internal and/or external audits
Funding Agencies such as Skills Funding Agency	contractual requirement to publish related party payments and expenses under our funding agreement with the Education and Skills Funding Agency
Companies House	Company Director information will be published. This information may be accessed by the public. However, any Statutory Register may be shared with third parties such as external auditors commissioned by the College or funding bodies, who have a legitimate right to

	access the Statutory Registers in the course of their duties.
Where applicable, Police and other law enforcement agencies	To aid with any investigations

Other than as set out above, we will not normally publish or disclose any personal information about you to other external enquirers or organisations unless you have requested it, consented to it or it is in your vital interests to do so (e.g. in an emergency situation).

In addition your information is shared as permitted or required by law, on a considered and confidential basis, with a range of external organisations for the purpose of meeting South and City College Birmingham statutory obligations as an FE college.

#### **Organisation:**

- The Department of Education (DfE)
- The Education and Skills Funding Agency (ESFA)
- Higher Education Funding Council for England (HEFCE)
- Charities Commission

#### **How we transfer your personal information outside Europe**

We do not store or transfer your personal data outside Europe.

#### **We will monitor your use of College's computers**

We keep an eye on how you use the College's equipment and computers and what websites you go on when you are browsing the internet at College. This is because we have legal obligations to protect you, we also have a legitimate interest in making sure you are using our computer equipment correctly and that you are not looking at any inappropriate content. If you have been issued with College equipment, this will have a locating device, in case the equipment is lost or stolen.

If you want to browse the internet privately, you will need to use your own devices, which are not linked to the College's network or internet connection.

#### **Automated decisions we take about you**

All decisions are made with human involvement, we do not use personal data to make a sole decision by automated means.

#### **Requesting access to your personal data (Subject Access Request (SAR))**

Under data protection legislation, individuals have the right to request access to information that we hold about them. To make a request for your personal information contact:

Our Data Protection Officer is Parveen Ghulam. If you have any questions about this policy or the ways in which we use your personal information, please contact our Data Protection Officer at High Street, Deritend, Birmingham, B5 5SU or [data.controller@sccb.ac.uk](mailto:data.controller@sccb.ac.uk)

**You also have a number of rights over your personal information, which are:**

- the right to make a complaint to the Information Commissioner's Office (ICO) if you are unhappy about the way your personal data is being used – please refer to the ICO's website for further information about this (<https://ico.org.uk/>); (If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance).
- the right to ask us what personal information about you we are holding and to have access to a copy of your personal information;
- the right to ask us to correct any errors in your personal information;
- the right, in certain circumstances such as where our use of your personal information is based on your consent and we have no other legal basis to use your personal information, to ask us to delete your personal information;
- the right, in certain circumstances such as where we no longer need your personal information, to request that we restrict the use that we are making of your personal information;
- the right, in certain circumstances, to ask us to review and explain our legitimate interests to you; and
- the right, where our use of your personal information is carried out for the purposes of an agreement with us and is carried out by automated means, to ask us to provide you with a copy of your personal information in a structured, commonly-used, machine-readable format.

## **Controlling your personal information**

You may choose to restrict the collection or use of your personal information in the following ways:

- whenever you are asked to fill in a form on the website, if you do not want the information to be used by anybody for direct marketing purposes, do not opt in.
- If you have previously agreed to us using your personal information for direct marketing purposes, you may change your mind at any time by writing to or emailing us at [data.controller@sccb.ac.uk](mailto:data.controller@sccb.ac.uk)

## **Cookies**

Cookies are text files placed on your computer to collect standard internet log and visitor behaviour information. This information is used to track visitor use of the website and to compile statistical reports on website activity.

For further information visit [www.aboutcookies.org](http://www.aboutcookies.org) or [www.allaboutcookies.org](http://www.allaboutcookies.org).

You can set your browser not to accept cookies and the above websites tell you how to remove cookies from your browser. However in a few cases some of our website features may not function as a result.

### **Links to other websites**

Our website may contain links to other websites of interest. However, once you have used these links to leave our site, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this privacy statement. You should exercise caution and look at the privacy statement applicable to the website in question.

### **Changes to our Privacy Policy**

We keep our privacy policy under regular review and will update it from time to time to make sure it remains up-to-date and accurate.