

## **PRIVACY POLICY - GOVERNORS**

*The College is committed to the equality of opportunity and to a proactive approach to equality, which supports and encourages under-represented groups, promotes inclusivity and values diversity.*

### **1 Policy Statement**

This Privacy Policy applies to the governors of Wyggeston and Queen Elizabeth College (the “College”) and is to help you understand how and why we collect and process your personal data, how we will use that data, the legal justification for using it and what rights you have over your data.

The College has a responsibility under the UK GDPR and the Data Protection Act 2018 to ensure the security and fair use of personal data.

WQE and Regent College Group (University Road, Leicester, LE1 7RJ) is the data controller and is responsible for your personal data. The College is committed to being transparent about the data that it collects and uses and to meeting its data protection obligations. If you have any questions about this policy, including any requests to exercise your legal rights, please contact the Data Protection Officer using the information set out in section 9.

### **2 What is ‘personal data’?**

‘Personal data’ includes any information that the College holds about you which identifies you. This includes:

- your name and contact details;
- your age;
- information provided by individuals as part of an application form to facilitate the governor appointment procedure;
- a record of your declared interests;
- records of training related to your governorship;
- signed Declaration of Eligibility forms;
- your photograph for your college ID card; and

sensitive information, such as:

- your race or ethnicity; and
- whether or not you have a disability or health condition for which the College needs to make reasonable adjustments.

### **3 How is your personal data collected and held?**

Your personal data may be collected through the following sources:

- your application form and other information or correspondence provided by you during the process to become a governor;
- information generated as a result of various activities whilst you are in post, principally by the Clerk and/or the HR department; and

- third parties such as references.

Your personal data is held on our College IT systems, and will be visible to relevant staff such as the HR team and staff involved in the College's governance. Your data will be stored securely in both electronic and paper formats.

#### **4 How the College uses your personal data and why**

We use your personal data to:

- comply with legislation as it applies to sixth form colleges;
- provide appropriate statutory advice and guidance; and
- deliver governor advice, guidance, information and training through a traded service.

CCTV is used to ensure the campus remains a safe environment. CCTV is not used in private areas such as changing rooms. Our security staff may wear body cameras.

In addition, your name may be mentioned in the minutes of governors' meetings and your name, photograph and personal biography will be posted on the College website.

#### ***Legal grounds for using your data***

The law requires the College to have a legal basis for collecting and using your personal data. This section describes the legal basis we rely on when processing your data. We rely on one or more of the following legal bases:

##### Contractual necessity

We process your data as it is necessary to perform any contractual relationship with you. Where the basis of processing your personal data is a contractual necessity and you don't provide us with the personal data we need, the College may not be able to process your request or provide you with the service for which you have applied.

##### Legal obligation

We process your data as it is necessary for us to fulfil our legal obligations, for example to fulfil and monitor our responsibilities under equality legislation.

##### Vital interests

It may be necessary to use any medical information we hold to support you in a medical emergency or prevent you from being seriously harmed.

##### Consent

We rely on consent only where we have obtained your active agreement to use your personal data for a specified purpose. If you do consent, you can opt-out at a later date if you change your mind and we will stop processing your data at that point.

##### Public task

The majority of your data will be processed under the public task basis. We are using your data to enable us to perform a public task, i.e. running the College as an educational institution.

##### Special category data

We may need to store sensitive data about you known as special category data, for example information on any disability you may have in order for us to implement reasonable

adjustments. Special category data includes information on your ethnicity, sexual orientation, religion or belief, biometric data, health information and information on any disabilities you may have. In addition to one of the lawful bases set out above, we will rely on one of the conditions of Article 9 of the UK GDPR to process your special category data. In this case, this will be your explicit consent, which you provide at the time of data collection.

There may be other processing in addition to the above, for example, when you access our website which uses cookies or when we take photos of our events and publish them. This is done on the basis of our policies and we will inform you about such processing at the time when the data is obtained or as soon as reasonably possible thereafter.

## **5 With whom does the College share your data?**

Your information may be shared internally by authorised staff for the purposes of assessing your suitability for the governor role. We may share your data with various external agencies to allow us to manage the College, including:

- The Department for Education
- Regulatory bodies such as OFSTED

Occasionally we may use consultants, experts and other advisors to assist the College in fulfilling its obligations and ensure its effective operation. We may need to share your data with them if it is relevant to this work.

Where we do share data, we will do so securely and only where we have confirmation from the recipient that they will process your data securely, fairly, and in line with legislation.

We will not send your data outside of the UK and European Economic Area.

## **6 How long do we keep your data?**

We keep your information whilst you are a governor and after you have stopped being a governor to ensure that our legal obligations are met. Normally, we will keep most records for seven years after the end of the year in which you leave us, although some records may be destroyed earlier where there is no good reason to keep them. Exact details are set out in our Data Retention Policy.

## **7 Automated decision-making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

## **8 Your data rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data. These rights include:

### **▪ Right to be informed**

The College will ensure you have sufficient information to ensure that you're happy about how and why we're handling your personal data, and that you know how to enforce your rights.

### **▪ Right of access / right to data portability**

You have a right to see all the information the College holds about you (commonly known as a “data subject access request”). Where data is held electronically in a structured form, such as in a database, you have a right to receive that data in a common electronic format that allows you to supply that data to a third party - this is called “data portability”. If you wish to exercise your right of access please email the Data Protection Officer on the contact details in section 9.

- **Right of rectification**

If we're holding data about you that is incorrect or incomplete, you have the right to have it corrected, though we may need to verify the accuracy of the new data you provide to us.

- **Right to erasure**

You can ask that we delete your data and where this is appropriate we will take reasonable steps to do so. The right to erasure is a limited right, and we may not be able to agree to requests for erasure. If this occurs, we will explain why your request is not being actioned.

- **Right to restrict processing**

You can ask us to suspend the processing of your data in the following scenarios:

- if you want us to establish the data's accuracy;
- where our use of the data is unlawful but you do not want us to erase it;
- where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or
- you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to process it.

- **Right to object**

You can object to the processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

- **Rights related to automated decision making including profiling**

If the College makes automated decisions about you, you have the right to ask for a human being to intervene on your behalf or to check a decision.

- **Right to withdraw consent**

Where we are relying on your consent to process your personal data or your explicit consent to process your special category data, you have the right to withdraw that

consent at any time. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

- **Right to transfer**

You have the right to request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

If you wish to exercise any of your data rights or submit a data subject access request, please contact the DPO on the details set out in section 9 below.

You will not have to pay a fee to access your personal data (or to exercise any of your other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask for further information in relation to your request to speed up our response.

## **9 Data Protection Officer**

The College has an appointed Data Protection Officer.

They can be contacted by emailing: [DPO@wqe.ac.uk](mailto:DPO@wqe.ac.uk)

## **10 Further information, guidance and complaints**

If you require further information about our use of your personal data, or if you have any concerns about how your data is being shared, please contact our Data Protection Officer in the first instance using the email address set out above.

If you are unhappy about the way in which we have used your personal data, you have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK regulator for data protection issues, by using the following link: [ico.org.uk/make-a-complaint/](https://ico.org.uk/make-a-complaint/).