



## **Privacy Notice for Governors at Carmel College**

### **Introduction**

This statement is intended to provide Governors of the College information regarding:

- your rights over your personal information;
- the information that you give us;
- the uses made of your personal information;
- the legal basis on which we collect and use staff information;
- how long we keep your personal information;
- how we share your personal information; and
- how we transfer your personal information outside of Europe.

### **Responsibility for Data Protection**

Carmel College is the data controller of personal information about you. The address is Carmel College, telephone 01744 452200 or email [dataprotection@carmel.ac.uk](mailto:dataprotection@carmel.ac.uk).

Our Data Protection Officer – Michelle Williams can be contacted at: telephone: 01744 452240, the Deputy Data Protection Officer is Lyndsay Bagley 01744 452243, or e-mail [dataprotection@carmel.ac.uk](mailto:dataprotection@carmel.ac.uk).

If you have any questions about this notice or the ways in which we use your personal information, please contact the Data Protection Officer at the College's address. This Privacy Notice has been prepared in accordance with the General Data Protection Regulation (EU) 2016/679 ("GDPR") and the Data Protection Act 2018.

### **Governors' Information**

Your rights over your personal information

**You 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/>);
- 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.

### **The information that you give us**

We will collect personal information from you. This will include: Your name, title, home address, personal email address, home and mobile phone numbers (and workplace alternatives where provided by you).

### **The uses made of your personal information**

This is so that we can contact you regarding meetings and other relevant events. Governors are responsible for updating the Clerk to Governors about changes to the data to ensure it is up to date and accurate.

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

The legal grounds for the College processing contact information for Governors is the College's legal obligation under the Further and Higher Education Act 1992 to maintain a Governing Body as its senior decision-making body. The College's Instrument and Articles, require the College to maintain contact with Governors to conduct the College's business and the information above is necessary for these purposes.

### **How do we collect your information**

We collect your personal information via the following methods:

- Governor application form
- Governor information record
- DBS form
- Record of business interests form

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

Your personal information is retained in line with the college Records Management Policy. The College maintains Governor contact information for up to six years after a person has ceased to be a Governor. This is in order that the College may complete year-end processes for any financial years in which a Governor was a member of the College, and should any legal queries arise. In addition, personal contact data provided to the College for the Register of Interests are retained for six complete financial years after the year in which a person has ceased to be a Governor, to cover the normal period for any legal claims arising.

When you apply for a role as a Governor with us, but your application is unsuccessful, we will keep your personal information for six months.

## **How we share your personal information**

This information will be held securely, shared only with staff who need to use the data for their duties and will not be made public. Other Governors 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.

## **Register of Interests and related payments**

### **The information that you give us**

We will collect personal information from you. This will include:

Your current employment; appointments (voluntary or otherwise); membership of professional bodies, groups or organisations; companies in which you are a director; significant shareholdings; gifts or hospitality accepted in the last twelve months; any other interests not covered by the above. The College also collects data on third party payments to Governors and payment of expenses.

### **The uses made of your personal information**

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 legal basis on which we collect and use your information**

The College processes this personal data and provides access to it on request because it is under a legal obligation to do so. The legal obligation was originally prescribed in regulations made by the Secretary of State under powers established by the Further and Higher Education Act 1992 and is contained in section 6 of the College's Instrument of Government. Furthermore, the College has a contractual requirement to publish

related party payments and expenses under our funding agreement with the Education and Skills Funding Agency.

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.

### **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.

### **How we share your personal information**

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. The College processes this personal data and provides access to it on request because it is under a legal obligation to do so.

### **Photos/Videos**

#### **The information that you give us**

We will collect personal information from you. This will include images of you (photos or videos).

#### **The uses made of your personal information**

This will 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.

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

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 to the Governors.

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

Where you withdraw your consent 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 twelve 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**

These images will be stored in a database and may be used for publication (as described above) and will be viewed by the public.

### **Statutory Registers**

#### **The information that you give us**

We will collect personal information from you. This will include: Your name, title, home address, contact telephone number, occupation, date of birth and date of appointment.

#### **The uses made of your personal information**

This is required for any statutory Registers for Governors. 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 legal basis on which we collect and use your information**

The College processes this data 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.

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

The College will retain data for the period of time set out in the regulations and funding contract. The College Annual Report and Financial Statements, which contain summary information of Governors' appointment and participation in College business, are retained for the duration of the College's existence as a statutory College.

#### **How we share your personal information**

This information will be held securely and not made public but may be accessed by College staff and 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.

## **The Chair of the Governing Body**

### **The information that you give us**

We will collect personal information from you. This will include your personal email address.

### **The uses made of your personal information**

This 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. **Changes to our Privacy Notice**

We keep our Privacy Notice under regular review. Any changes we make to our Privacy Notice in the future will be notified to you by email.

(Amendment history – administrative amendments to update DPO – with effect August 2024)



**Declaration**

I, .....name of governor, declare that I understand:

- The categories of my personal information the College collects and uses.
- The College has a lawful basis for collecting and using my personal information.
- The College may share my information with the stated organisations.
- The College will not share information about me with anyone without my consent, unless the law and our policies allow the College to do so.
- My information is retained in line with the College’s Records Management Policy.
- My rights to the processing of my personal information.

Name of Governor:

.....

Signature of Governor:

.....