

# Privacy Notice – Governors

Date: Oct 2024

Review Date: Oct 2025

Version: 1

Document owner: Fir Tree College

A: The Nook, Appley Bridge, Wigan, WN6 9JB

T: 01257 251 502 | E: info@firtreecollege.com



## Introduction

Fir Tree College must collect and process personal information (data) about you when you are appointed as a governor of our college to meet our statutory and operational obligations. This privacy notice outlines what data we collect about you when you join the college, why we need it and how it is used.

The college process all personal data in accordance with the UK General Data Protection Regulation (UK-GDPR) and Data Protection Act (2018).

## Data Controller

The college is the 'Data Controller' for the personal information that we process about you. This means that we are responsible for your data and make decisions on how it is used.

## Data Protection Officer

The college has appointed a Data Protection Officer (DPO) who is responsible for overseeing compliance with the relevant data protection legislation. Our DPO provides support to the college and acts as the first point of contact for any questions or queries regarding data protection.

Our DPO is Miss Danielle Eadie from RADCaT Ltd who is supported by Senior Leadership Team (SLT) at the college. The DPO is contactable via the college office in the first instance.

## What personal data do we process about you and why we need it?

We process the following general categories of personal data when you are inducted as a governor to ensure we can effectively correspond with you and provide you with the necessary resources to fulfil your role:

- Full name
- Address and Contact details (including emergency contacts)

To meet our safeguarding obligations and confirm your suitability for your role, the college will process the following information about you:

- Proof of ID (photo and address)
- DBS check (only reference and date of check kept)

As an education provider in the UK, the college must process the following further categories of personal data about you to meet the statutory obligations place upon us by the Department for Education.

- Role
- Governor ID
- Dates and Means of Appointment
- Declaration of Pecuniary and Personal Interests
- Attendance at Meetings (including minutes)

The following general information will also be processed by the college during your role with us (**where applicable**) to meet our further legal and operational duties:

- CCTV: records images for site security if you visit the college.
- Health & Safety: logs of your visits to site.
- Health & Safety: medical information or access requirements declared to us by you.
- Health & Safety: accident / injury records.
- Compliance: records of training you partake in.
- Usage Data: access and usage of college systems and records.
- Incidents: records of any concerns about you or incidents that you are party to.

#### **Where we get your information?**

Most of the personal information that we process is provided directly by you upon induction to your role. Further information will be collated by the college as your role with us progresses.

We receive a small amount of information about you from third parties, this is typically limited to the results of your DBS check and other third-party service providers; ICT access to our systems and training providers issuing your certificates etc.

Whilst most of the information that we process is mandatory, we will inform you if there are any data processing activities that are optional and seek your permission where necessary.

#### **Our lawful basis for processing your personal data?**

Under the UK-GDPR, the college must have a lawful basis to process your personal data. Your data is primarily processed as the college has a **legal obligation** that requires us to do so. The college has a legal duty to process governance information as part of the following statutory regulations:

- Section 538 of The Education Act (1996)

Further legislation and regulations that require us to process your personal data include:

- Health & Safety at Work Act (1974): providing a safe and secure working environment and the recording and reporting of accidents and injuries.
- Keeping Children Safe in Education (2024): compiling DBS checks for the safeguarding of children in our care and managing any concerns raised.

#### **Further lawful bases to process your data:**

When processing your personal data to provide you with access to systems and fulfilling your training requirements, the college has a **contractual obligation** to process your personal data; the college is

processing your data to provide you with resources you need to fulfil the agreement between you and the college.

The college has implemented a CCTV system that will record images of you should you visit the college as part of your role. The system enhances site security and aids in the prevention and detection of crime; the college are therefore processing personal data for the performance of a **public task**.

In the event that an accident or incident occurs that involves you, we may be required to process your personal data in the act of protecting or saving your life or that of another person; we have a **vital interest** to process your personal data.

### Special Category Data

The college does not routinely process special category data about you; special category data is information that is much more sensitive in nature such as details about your health and special characteristics like gender, ethnicity and religion.

Such data will typically only be processed by the college should you inform us of any health concerns that may impact your role, allergies, disabilities, access requirements etc or you are involved in an accident / incident on our site.

When processing special category data, we must meet an additional lawful basis from the UK-GDPR. The college rely upon **substantial public interest** to process special category data for the above purposes, namely, to meet the obligations the government place on us under Health & Safety Law.

Less commonly, if an accident or incident involving you is referred to a court or legal claim, we may be required to process your special category data under the lawful basis of **legal claims and judicial acts**.

### **Who we share your personal information with and why?**

The college will only share your personal data if it is required to meet a legal obligation or an operational duty relating to your role as governor.

As a CIC, we do not need to publicise your role as governor on our website and with the DfE like mainstream schools and colleges. In certain circumstances however, we may be required to share meeting minutes and details of our governance for instance, if we are audited by Ofsted or feel it is in the public interest. We will of course keep you informed on such actions.

We will share your data with the following third-party providers of key services to the college:

- ICT to create and manage your college email account and access to the relevant areas of the college system.
- Providers of software that we give you access to for your role as governor.
- DBS check provider to meet our safeguarding obligations.
- Governor information management system (Trust Governor) to set up an account and provide access to the information and resources needed to perform your duties.
- Auditors to ensure that the college is compliant and meets best practice standards.

The college **may** share your data with the following parties if you are involved in or the subject of an accident or incident:

- Local Authority
- Police

- Emergency Services
- Governing Bodies (HSE, ICO etc)
- Professional Advisors
- Insurance Provider
- Courts

The college perform strict checks on those third parties with whom we share your data to ensure they are compliant with data protection legislation and meet the same high standards of security as expected by the college.

If we must share data, we take a minimalist approach to ensure only the necessary amount of information is provided. Data will not be transferred unless there is a secure method of exchange.

We do not transfer your personal data outside of the UK; if we must do so, we will ensure the necessary safeguards are in place to maintain compliance.

### **How we store and how long we keep your personal information?**

To comply with the UK-GDPR, the college only keep personal data for as long as necessary to meet our legal and operational duties.

Our 'Records Management Policy & Retention Schedule' (available at our college office) outlines how long records are kept and how we determine and manage these periods. As a rule of thumb, general information about you is kept for 6years once your appointed role ceases whilst key meeting minutes and documentation is kept for the life of the college.

Your personal data is stored securely on site. Records kept in electronic format are stored securely on carefully selected databases and systems that are fully encrypted with password protection and two factor authentication utilised where available. Any physical records are kept in locked cabinets within locked offices and archive rooms; key access is strictly limited depending upon role.

College staff and those third parties accessing key pupil records are subject to DBS checks and strict confidentiality agreements.

### **What are your rights?**

All individuals have the following rights in respect of their own personal data in certain circumstances:

- The right to be informed about how and why we process your personal data
- The right to access and ask for copies of the personal data we hold about you
- The right to ask that we rectify any personal data you feel is inaccurate or incomplete
- The right to object to the processing of your personal data in certain circumstances
- The right to ask us to erase the personal data that we hold about you in certain circumstances
- The right to ask us to restrict the processing of your personal data
- The right to ask that we transfer your personal to another controller via automated means (data portability)
- The right to ask that your personal data is not subject to automated decision making and profiling

Please contact the college office if you would like to exercise any of these rights. A response will be provided to you within one calendar month; the college reserves the right to extend more complex requests by a further two months, we will however notify you of any intention to extend within the first month.

Our 'Data Protection Policy' is available on our website if you would like further information on your rights.

### **Complaints**

If you have any concerns about how and why we process your personal data, please contact us in the first instance so that we can resolve any issues accordingly.

You can also complain to the Information Commissioners Office (ICO) if you are unhappy with how we have used your data:

ICO: <https://ico.org.uk/make-a-complaint/data-protection-complaints/>