

Author	Clerk
Date created	January 2024
Approved by	Governing Body
Date of approval	20.3.2024
Review frequency	3 years
Next review date	March 2027

## **Fircroft College of Adult Education Privacy Notice - Information for Governors**

### **Who is the Data Controller?**

We are the data controller of personal information about you. We are Fircroft College of Adult Education. Our address is, 1018 Bristol Road, Birmingham B29 6LH. If you have any questions about this policy or the ways in which we use your personal information, please contact our Clerk at [Clerk@fircroft.ac.uk](mailto:Clerk@fircroft.ac.uk) in the first instance.

Fircroft College of Adult Education needs to hold and process information about you and your circumstances. Some of this is personal data, which means it can be used to identify you. The law gives you rights about what happens to this personal information. The General Data Protection Regulations (GDPR), which came into effect on 25 May 2018, strengthened the rights which individuals have over their data which organisations collect and process. This Privacy Notice is for Governors and External Members. It tells you who we are, what information we will collect, how we will use it, how we will keep it and who we will share it with. Fircroft College of Adult Education is registered under the Data Protection Act 1998. This means that the purposes for which the College collects and processes personal data is notified to and registered with the Information Commissioner's Office (ICO). The College registration reference is ZB585486.

### **What personal information does Fircroft College of Adult Education collect?**

We will collect personal information from you, this information includes:

- Name
- Date of Birth
- Contact details (address, phone numbers, email address)
- Date of appointments
- Age, sex, marital status, colour, ethnic origin, nationality, religion, sexual orientation, disability

Author	Clerk
Date created	January 2024
Approved by	Governing Body
Date of approval	20.3.2024
Review frequency	3 years
Next review date	March 2027

- Register of interests – current employment, appointments (voluntary or otherwise), membership of professional bodies, groups or organisations, directorships, gifts/hospitality.
- Photos
- Training records
- Contributions at governance meetings, appraisal records and skills audits.

### **Why does Fircroft College of Adult Education collect personal information?**

Fircroft College of Adult Education is committed to being transparent about the data it collects and uses that data lawfully in line with its data protection obligations. The lawful basis we rely on are: legal obligation, fulfilling a public function, consent and where it is necessary for the performance of our relationship with you. The law states that we have to meet a legal condition under data protection legislation before we can process (which includes sharing) your personal data. The conditions which apply for the processing of personal data that we process for Governing Body and committee members are:

Necessary for compliance with a legal obligation, for example disclosures in the year-end statutory accounts, registration and reporting to Charity Commission and Companies House.

Necessary for the purpose of our legitimate interests: this allows us to collect your personal data and where necessary to use it for our own administrative purposes and for compliance with College policies as long as we balance our purpose with your individual interests, rights and freedoms, for example information in governance reports and minutes.

The conditions that apply for processing special category data are as follows:

Necessary for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment between groups of people relating to statistical monitoring of racial or ethnic origin, age, gender and disability.

We may ask you for your consent if we need to share your details for any other purposes not covered above.

Author	Clerk
Date created	January 2024
Approved by	Governing Body
Date of approval	20.3.2024
Review frequency	3 years
Next review date	March 2027

Statutory or contractual requirements Some of the personal data that we hold about you is processed in order to fulfil a legal obligation, for example publishing Governors names and Governing Body and committee attendance in the year-end statutory accounts.

Failing to provide your personal data would mean that we would be unable to accept you as a Governing Body or committee member

Your name, date of birth, contact details (address, phone numbers, email address) and date of appointment will be used:

- To identify you and to keep in touch with you, e.g. to enable us to contact you about meetings and other college events you may be invited to.
- To enable other Governors to contact you between meetings.
- To enable access to our chosen electronic meetings portal and any repository for governance and college information.
- To provide information to our regulators, auditors and funding bodies as required.
- To share with the Government's Disclosure and Barring Services (DBS) so that they can check if you have any previous convictions which would make you unsuitable for working with children and young/vulnerable people.

Your age, sex, marital status, colour, ethnic origin, nationality, religion, sexual orientation and disability will be used:

- To ensure equality of opportunity and treatment, Fircroft College of Adult Education may collect data across all nine of the protected characteristics under the Equality Act 2010. Governors are asked to complete an Equal Opportunities monitoring form, this information is voluntary.

- All such data is treated confidentially and used for monitoring only.

Summarised and anonymous data may be published in college annual reports and provided to Governors for the purpose of governor succession planning.

Register of interests – current employment, appointments (voluntary or otherwise), membership of professional bodies, groups or organisations, directorships, gifts/hospitality will be used:

Author	Clerk
Date created	January 2024
Approved by	Governing Body
Date of approval	20.3.2024
Review frequency	3 years
Next review date	March 2027

- To identify and manage actual or possible conflicts of interest, i.e. situations where your interests may (or may appear to) influence your decision-making.
- To share with regulators, auditors and funding bodies if required.
- This information may be published or may be made public on request or disclosed under Freedom of Information requests.

Photos may be used:

- Along with your name and date of appointment, to identify Governors on the college website and on social media
- Images (photos or videos) may be used in college publicity material or strategy documents (adverts, information leaflets, press releases – all of which may be online or in hard copy).

Training records will be used:

- To demonstrate compliance with the English Colleges' Code of Good Governance.
- To determine future training requirements.

Appraisal records and skills audits will be used:

- To demonstrate compliance with the English Colleges' Code of Good Governance, and to support the College's periodic reviews of its own effectiveness.
- To determine future training requirements.
- To determine gaps Governing Body skills and knowledge that may need to be filled when appointing new Governors and External Members.

Details of mileage and other expense claims, including receipts:

- To record and reimburse expenses validly incurred in the course of governance duties and in line with the approved policy.

### **How does Fircroft College of Adult Education share personal information?**

Your information may also be shared internally with Fircroft College of Adult Education staff who need the data to provide services to you. This will include

Author	Clerk
Date created	January 2024
Approved by	Governing Body
Date of approval	20.3.2024
Review frequency	3 years
Next review date	March 2027

special category data, where necessary. We will share some or all of your personal data with:

- Other Governing Body and committee members, as well as senior staff and administrative staff, to keep in touch with you between meetings (email addresses and mobile numbers only).
- Our regulators if required (generally only contact details for the Chair).
- The Disclosure and Barring Service.
- Internal and external auditors.
- Other external advisors who may require governance information as part of work that they are commissioned to undertake on behalf of the College.
- Other external advisors/businesses as part of their regulatory and legal requirements to support operational requirements of the College e.g. Banking – anti-money laundering, know your customer etc.
- Association of Colleges, for the purposes of them providing access to briefing and training materials.
- Other training providers and companies if you attend a course booked by us.
- If required to do so, we would share your information with the police for the prevention and detection of crime and fraud.

We will publish the names of all Governors and External Members on our website, together with a photograph and a brief profile, the contents of which will be agreed with you before publication.

We only share the minimum amount of personal data necessary to allow us to fulfil our legal obligations. We will not sell your personal data to any third parties.

### **Does Fircroft College of Adult Education process personal information outside the EEA?**

Fircroft College of Adult Education will not transfer or store your data to countries outside the European Union, to third countries or international organisations.

Author	Clerk
Date created	January 2024
Approved by	Governing Body
Date of approval	20.3.2024
Review frequency	3 years
Next review date	March 2027

## **How does Fircroft College of Adult Education protect personal information?**

Fircroft College of Adult Education takes the security of your personal information seriously and has internal policies and controls in place to ensure that your information is not lost, corrupted, accidentally destroyed, rendered unavailable, misused or disclosed, and is not accessed except by authorised employees in the performance of their duties.

## **How long does Fircroft College of Adult Education keep personal information?**

All Personal Information will be held as long as is necessary to fulfil our legal obligations or carry out public functions. Details of how long specific records are retained is set out in the Retention Schedule. The Retention Policy considers the need to meet any legal, statutory and regulatory obligations. Any information that is no longer required will be disposed of securely. We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting or reporting requirements. We will usually keep your information for as long as you remain a Governing Body member/External Member plus six years. We will store your information securely using both electronic and paper-based systems. We will dispose securely of all information when it is no longer required for the purposes of your Governing Body or committee membership.

## **What rights do you have?**

As an individual, you have a number of rights. You have the right to be informed about how and why your data is being processed and that is why we include the information in this Privacy Notice. You can also:

- access and obtain a copy of your data on request.
- require Fircroft College of Adult Education to update 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 stated purposes of processing (specific circumstances only).

Author	Clerk
Date created	January 2024
Approved by	Governing Body
Date of approval	20.3.2024
Review frequency	3 years
Next review date	March 2027

- obtain and reuse your data for your own purposes across different services. (limited circumstances).
- object to the processing of personal information (specific circumstances).
- object to the processing of your data for marketing purposes, this right always applies.

Where the College is relying on its legitimate interests or performance of a public task as the legal basis for processing your personal data, you may also object to the processing and this will be considered on a case-by-case basis. In certain circumstances you have the right to have your personal data deleted, this is where the College does not have a justification to retain it. Below is a list of circumstances where the College would delete your personal data:

- Where your personal information is no longer necessary for the purpose that the College originally collected and processed it.
- When the legal basis relied on is consent and you withdraw that consent.
- If we are relying on our legitimate interests as the legal basis for processing and you have objected and your interests rights or freedoms override our legitimate interests.
  - When you have objected to the processing and the College is using your data for direct marketing purposes.
- The personal data was unlawfully processed.
- It is necessary to delete your personal information to comply with a legal obligation;
- The personal information is processed by the College as part of the delivery of information society services to a child under 16 years old. \*ISS any service normally provided for remuneration, at a distance, by electronic means and at the individual request of a recipient of services. e.g. websites, apps, search engines, online marketplaces and online content services such as on-demand music, gaming and video services However, the right to be forgotten does not apply where the College relies on the following:
  - To comply with a legal obligation.

Author	Clerk
Date created	January 2024
Approved by	Governing Body
Date of approval	20.3.2024
Review frequency	3 years
Next review date	March 2027

- In order to carry out a task in the public interest or in the exercise of our official authority as a public body or education provider.
- To establish, exercise or defend legal claims.
- To exercise the right of freedom of expression and information.
- For archiving purposes in the public interest, scientific research, historical research or statistical purposes where erasure is likely to make it impossible or considerably difficult for us to do this. Where we rely upon student consent to process data this consent can be withdrawn at any time by contacting Fircroft College of Adult Education

### **What if I do not provide personal information?**

Data that is mandatory to provide will be highlighted and failure to provide mandatory data required by the College to meet legal obligations in regard to provision to teaching and learning, safeguarding or other statutory obligation will impact on your ability to remain a governor.

### **How to contact us**

Please contact us if you have any questions about this Privacy Notice, or information we hold about you:

By Email: [Clerk@fircroft.ac.uk](mailto:Clerk@fircroft.ac.uk)

In writing: Data Protection Officer, Fircroft College of Adult Education, 1018 Bristol Road, Birmingham B29 6LH

### **Who can I complain to?**

If you believe that Fircroft College of Adult Education has not complied with your data protection rights, you can complain to the Data Protection Officer at 1018 Bristol Road, Birmingham B29 6LH. You also have the right to complain to the Information Commissioner at [www.ico.org/concerns](http://www.ico.org/concerns) or by contacting the ICO helpline on 0303 123 1113.

### **Changes to our privacy policy**

This Privacy Notice is reviewed every three years (or earlier if required). This is to make sure that we continue to meet the highest standards and to protect your privacy. We reserve the right at all times, to update, modify or amend this

Author	Clerk
Date created	January 2024
Approved by	Governing Body
Date of approval	20.3.2024
Review frequency	3 years
Next review date	March 2027

Notice. We will not significantly change how we use information you have already given to us without your prior agreement.