

## **Privacy Notice Information for Governors of the Corporation in The Windsor Forest Colleges Group**

The Windsor Forest Colleges Group (also referred to below as 'we' or 'the College Group') is registered under the UK GDPR ("GDPR") and Data Protection Act 2018, which is the UK's implementation of the General Data Protection Regulation (EU) 2016/679. GDPR governs how the personal data of individuals in the UK may be processed and transferred. The College Group is registered with the Information Commissioner's Office (ICO) under the Registration Number Z465993X.

The College Group will collect and process the following information from you, which we need in order to carry out our functions. The legal grounds for processing the information are outlined under each section and where your consent is required we give you the opportunity to opt in.

### **All Governors of The Windsor Forest Colleges Group Corporation**

- Personal contact details - your home address, personal email address, home and mobile phone numbers (including workplace alternatives where provided by you). This is so that we can contact you regarding meetings and other relevant events. 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 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 the College Group.
- The College Group's legal grounds for processing Governors' contact information is that 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, defined by that statute require the Corporation to maintain contact with Governors to conduct the College Group's business and obtaining and holding contact information is necessary for these purposes. Governors are responsible for updating the Clerk should there be any changes to their data to ensure it is up to date and accurate.
- The College Group maintains Governor contact information for up to 36 months after a person has ceased to be a Governor so the Corporation may complete year-end processes for any financial years in which a Governor was appointed 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.

### **Disclosure and Barring Scheme (DBS)**

- Your name, address and date of birth. We will share this information with the Government's Disclosure and Barring Service (DBS) so that they can check whether you have any previous convictions, which would make you unsuitable for working with children and young people. The College Group will retain information resulting from these checks to confirm that they have been completed and the Corporation's decision to appoint a Governor or otherwise.
- The legal grounds for the College processing this personal data is that the Corporation operates a College of Further Education, which 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. In addition, the College Group, 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.
- The College Group retains data on its central register that the process was completed and the outcome for up to six years after a person has ceased to be a Governor. Should any Governor be directly involved in a safeguarding matter related to an individual learner then this may result in personal data being entered on that learner's safeguarding file. Under current legislation, safeguarding information about individual children is retained for up to 80 years, i.e. to cover or exceed the data subject's full life span.

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

- Your 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 £75 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.

- 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 College Group 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 Group's annual reports and financial statements.
- The College Group 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 11 (5) of the College Group's Instrument of Government. Furthermore, the College Group has a contractual requirement to publish related party payments and expenses under our funding agreement with the Education and Skills Funding Agency.
- The College Group 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.

### **Photos/Videos**

- Images of you (photos or videos) 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 secure location and may be used for publication (as described above) and will be viewed by the public.
- 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. 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 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.

- If you agree to your images being used in this way, please fill out the relevant Digital Images Consent Form and return to the Clerk.

### **Equality and Diversity monitoring**

- The Windsor Forest Colleges Group 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 Group needs your help and co-operation to do this.
- The College Group processes equality monitoring data confidentially and securely. The Clerk 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 Group's equality objectives.
- The College Group 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. The College Group will retain data for the period of time set out in the regulations and contract.
- The College Group 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 Group's existence as a statutory corporation.

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

- Your personal email address. 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. We will always request out of date data to be deleted when we provide data about a new appointment.

- The Retention Schedule is outlined above and any queries should be addressed to the Clerk, who will assist with requests for copies of personal data or removal of personal data under the GDPR.

### **Legal Framework**

- The Windsor Forest Colleges Group is the Data Controller as defined in the UK GDPR and Data Protection Act 2018 for The Windsor Forest Colleges Group further education corporation and wholly owned subsidiary companies.
- Further information on exercising your rights over your personal information can be found in the College Group's General Data Protection Policy on the College website at <https://www.windsor-forest.ac.uk/about-us/governance/>

### **Further information**

If you require further information, please contact: Yee Har Miller, Data Protection Officer, at [data.protection@windsor-forest.ac.uk](mailto:data.protection@windsor-forest.ac.uk).