

# Privacy notice for governors

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Under data protection law, individuals have a right to be informed about how the College uses any personal data that we hold about them. We comply with this right by providing ‘privacy notices’ (sometimes called ‘fair processing notices’) to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at the College.

We, East Norfolk Sixth Form College, are the ‘data controller’ for the purposes of data protection law. Our data protection officer is **Lisa Bell** (see ‘Contact us’ below).

### ***The personal data we hold***

We process data relating to those we employ, or otherwise engage, to work at the College. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Name
- Contact details

- Date of birth
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Attendance data
- Copy of driving licence
- Photographs
- Data about your use of the College's information and communications system
- Register of interests for the purposes of identifying possible conflicts of interest
- Your name as it may be included in meeting minutes (e.g. as an attendee or participant in meeting discussion).

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation
- Health, including any medical conditions

### ***Why we use this data***

The purpose of processing this data is to help us run the College, including to:

- Facilitate Safer Recruitment practice as part of our legal safeguarding obligations towards students
- Meet our statutory obligation as an employer in relation to ethnicity and disability monitoring
- Training and development opportunities
- Keeping accurate records of meetings held, and discussions and decisions made

### ***Our lawful basis for using this data***

We process this data under and most commonly for:

- Article 6 (1)(b) of the General Data Protection Regulation (GDPR) as processing is necessary for a contract we have with you, or because we have asked you to take specific steps before entering into a contract
- Article 6(1)(c) of the GDPR as processing is necessary for us to comply with the law
- Article 6(1)(e) of the GDPR as processing is necessary for us to perform a task in the public interest or for our official functions, and this task or function is lawful
- Article 9(2)(b) of the GDPR as processing is necessary for the purposes of carrying out our obligations in relation to employment law

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the College's use of your data.

### ***Data collection requirements***

The Department for Education (DfE) collects and processes personal data relating to those employed by schools and colleges (including Multi Academy Trusts) and local authorities that work in state funded schools

(including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005

To find out more about the data collection requirements placed on us by the DfE, including the data that we share with them, visit <https://www.gov.uk/education/data-collection-and-censuses-forschools>

The DfE may share information about school and college employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The DfE has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested; and
- the arrangements in place to securely store and handle the data

To be granted access to school and college workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the DfE's data sharing process please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

To contact the DfE please visit: <https://www.gov.uk/contact-dfe>

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

### ***How we store this data***

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with legislation and the College's "Records Retention Guidance" policy (located on EN SharePoint or the College's public website)

### ***Data sharing***

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

- *Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about the College's performance and staff dismissals*
- *The Department for Education*
- *Our regulator Ofsted*
- *Disclosure and Barring Service (DBS)*
- *Financial organisations*
- *Central and local government*
- *Our auditors*
- *Professional advisers and consultants*
- *Charities and voluntary organisations*
- *Police forces, courts, tribunals*
- *Professional bodies*
- *Companies House*

### ***Why we share governor/trustee information***

We do not share information about you with anyone without consent, unless the law and our policies allow us to do so.

#### *Local Authority*

We are required to share information about our workforce members with our local authority under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

We also share information with our local authority about our workforce members' continuous service to establish eligibility for long service awards, and information about governing body membership that will identify staff who are governors on the College's governing body (in accordance with section 30 of the Education Act 2002).

#### *Department for Education (DfE)*

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding/expenditure and the assessment of educational attainment.

We are required to share information about our employees with our local authority and the DfE under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

We are required to share information about our pupils with the DfE under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

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

We share personal data including name and name history, address history for 5 years, date of birth, phone number and email address, National insurance number, passport number and validity, criminal conviction declaration, driving licence number and effective date, birth certificate with date and location of issue.

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.

#### ***Your rights How to access personal information we hold about you***

Individuals have a right to make a '**subject access request**' to gain access to personal information that the College holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our data protection officer.

### ***Your other rights regarding your data***

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

### ***Complaints***

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### ***Contact us***

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

Lisa Bell  
East Norfolk Sixth Form College  
Church Lane  
Gorleston  
Great Yarmouth  
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