

PRIVACY NOTICE for CORPORATE GOVERNANCE OFFICE – BOARD of GOVERNORS

PRIVACY NOTICE DETAILS:

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Approving body	Senior Leadership Group (via DP Forum)
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Authors	Academic Registrar, Assistant Secretary to the Board & DPO.
Responsible Senior Leadership Group area	Registrar and Secretary
Related policies and documents	Data Protection Policy
Benchmarking	Glasgow Caledonian University, Royal Conservatoire of Scotland, University of Strathclyde

PRIVACY NOTICE FOR THE CORPORATE GOVERNANCE OFFICE – BOARD OF GOVERNORS

Data Protection Act 2018 and the UK General Data Protection Regulation

PURPOSE

This Privacy Notice is applicable to all potential governors of Glasgow School of Art (GSA), all members of GSA's current Board of Governors (including the Chair, Independent Governors, Ex Officio Governors, Elected Staff and Student Governors, and Trade Union Governors), former governors of GSA (all hereinafter known as Governors) and external members of any committees of the Board of Governors and outlines what personal data the Corporate Governance Office hold about you, how it is processed and who it is shared with. It also explains your rights as a data subject.

CONTACT DETAILS

If you have any questions relating to GSA's use of your personal data, these should be referred in the first instance to the Assistant Secretary to the Board by emailing l.davidson@gsa.ac.uk

GSA's Data Protection Officer is Tom McDonnell: dataprotection@gsa.ac.uk

You also have the right to lodge a formal complaint against GSA regarding data protection issues with the Information Commissioner's Office: <https://ico.org.uk/concerns/>

HOW WE LOOK AFTER YOUR PERSONAL DATA

GSA is the data controller of your personal data. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection laws to notify you of the information in this privacy notice.

GSA complies with data protection law. Personal data is information relating to an identifiable living individual. The law says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

DATA SUBJECT RIGHTS

One of the aims of current data protection legislation (the UK General Data Protection Regulation 2021) is to empower individuals and give them control over their personal data. Current data protection legislation gives you the following rights:

- The right to be informed.
- The right of access.
- The right to rectification.
- The right to erase.
- The right to restrict processing.
- The right to data portability.
- The right to object.
- Rights in relation to automated decision making and profiling (making a decision or an evaluation without any human involvement).

WHY ARE WE PROCESSING YOUR PERSONAL DATA?

1. Legal Obligation

It is necessary for GSA to process your personal data in order to comply with the following legal obligations:

- Recruitment of new members by the Nominations Committee of the Board.
- Appointment of Staff, Student and Trade Union Governors to the Board in compliance with section 3 of GSA's Order of Council (2020).
- Appointment of the Chair of the Board of Governors in compliance with section 4 of GSA's Order of Council (2020).
- To provide annual returns and accounts to Companies House and maintain a register of Directors in fulfilment of requirements as set out in the Companies Act (2006).
- To contact you in connection with Board of Governor business.
- For inclusion in minutes of Board and Board committee meetings.
- For inclusion in GSA's annual report and financial statements.
- Maintaining the Board committee memberships.
- Maintaining the Register of Interests.
- Maintaining the Register of Skills, Attributes and Experience.
- Maintaining the Gifts and Hospitality Register.
- To support Board of Governor effectiveness exercises.
- To support the induction of newly appointed members of the Board.
- Creating and updating short biographies for GSA's website and other publications.
- To provide reports and returns required by funding agencies, government departments and public bodies, including the police and other public bodies with investigatory powers, such as HMRC.
- To monitor and promote equality and diversity within GSA in accordance with the Equality Act 2010.
- To enable the Board to monitoring data regarding its composition, and aid the Board in consideration of its membership.

- To meet GSA’s obligations in terms of the Gender Representation on Public Boards (Scotland) Act 2018.
- For inclusion in GSA’s Publication Scheme, which is a requirement of the Freedom of Information (Scotland) Act 2002.
- To fulfil GSA’s obligation to comply with information requests as required under the Freedom of Information (Scotland) Act 2002.
- To comply with GSA’s complaints handling process and to respond to investigations by the Scottish Public Sector Ombudsman (‘SPSO’).
- To ensure that Board members have not been disqualified as a charity trustee in accordance with the Charities and Trustee Investment (Scotland) Act 2005.

2. Performance of Contract

Where the legal basis for processing your personal data is based on your contract with GSA. Regarding Governors and external members, this will be the letter of appointment.

3. Vital Interest

Where the legal basis for processing your personal data is in order to protect your vital interests or those of another individual, i.e. in emergencies/life or death situations or where GSA believes that a Board member or other individual is at significant risk of harm.

4. Legitimate Interest

Where it is in GSA’s legitimate interest that your personal data is processed, including:

- Making funding bids or grant applications where general Governor details are required.
- Fulfilling the requirements of GSA’s banking arrangements.
- To identify Independent Governors and manage access to GSA’s facilities and services (e.g. Governor Card and GSA email address)
- for the administration, support, monitoring and management of access to GSA’s IT Services, including GSA email addresses (Independent Governors).
- For the administration, payment and reporting of expenses claims.
- For the administration and payment of the remuneration of the Chair of the Board of Governors, where appropriate.
- To facilitate the operation of the GSA Board and Board Committees, and to allow members to securely access relevant Board and Board Committee documents digitally (e.g. use of a Board portal).
- For the maintenance of the Register of Meetings.

5. Consent

The Corporate Governance Office will contact you in advance before we share your data for the following purposes:

- Sharing contact details with other members of the Board.
- Sharing contact email addresses with Board and Board Committee attendees.

- Confirming accommodation, dietary and access requirements for events.
- Booking training with external organisations.
- Circulating a statement to the electorate (staff seeking election to the Board).
- Adding you to relevant mailing lists for GSA publications and events.

If you give your consent for the Corporate Governance Office to process your personal data, you can withdraw this consent in whole or part at any time. If you wish to withdraw your consent you will be asked to complete and return a Data Subject Consent Withdrawal form. The Corporate Governance Office will also explain the consequences of withdrawing your consent in any particular case.

WHICH PERSONAL DATA DO WE COLLECT AND USE?

The Corporate Governance Office needs to collect and use your personal data in order to function and provide its services. Most personal data is collected directly from Governors or external members of Committees through for example the Independent Governor or Chair application process (which may utilise the services of a recruitment search agent), the Staff Governor election process, the Governor information checklist and more generally from interactions during your time as a Governor or external member of a Committee. Personal data and sensitive personal data is also collected via the Equality Monitoring form, which Independent Governors are invited to complete and submit with their application, and that all governors are invited to update on an annual basis.

Please note that certain items in the list are tagged as follows:

- * Denotes information which may contain data classified as sensitive personal data/special categories of personal data under current data protection legislation and as such is subject to a greater level of control and protection.
- V Denotes information which you provide on a voluntary basis or where you are given the option of “prefer not to say” or “information refused”.
- # Denotes information which will be published/available to the public.

From the Independent Governor or Chair application process and Governor Information Checklist (the latter is completed by all Governors):

- Title
- Names #
- Email address
- Telephone number
- Postal address
- Date of Birth
- Country of Residence
- Nationality
- Letter of application
- Educational background
- Qualifications
- Occupational/employment history

- Public/voluntary appointments
- Charity trustee declaration
- Additional statement in support of your application.
- Emergency contact details
- Training requirements
- Dietary requirements
- Access requirements *V

From the Staff Governor election process:

- Full Name
- School/Department
- Charity trustee declaration
- Proposers
- Candidate's Statement
- Ballot details and results.

From your Equality Monitoring Form:

- Gender
- Age
- Date of Birth
- Religion/belief *V
- Ethnicity *V
- Gender identity *V
- Sexual Orientation *V
- Nationality
- Disability *V
- Highest Qualification
- Reasonable Adjustments/access requirements *V.

Please note that equality and diversity information is only published in the form of anonymised reports. In terms of the Independent Governor recruitment process, equality and diversity data is also shared with the Nominations Committee of the Board to inform its review of the representative balance of Board membership, and with the Board in relevant reports.

Additional data which may be collected during your term of office:

- Bank or building society account details for administration of expenses claims and the Chair's remuneration where appropriate.
- Biographies #
- Correspondence (email and otherwise)
- Data relating to your tenure of office, Committee membership and attendance at Board and Board Committee meetings
- Register of Interest data, which may include details pertaining to members' offices and directorships; familial relationships; membership of professional bodies or trade unions;

significant shareholdings in public/private companies; contracts; and formal positions or connections with other Higher Education Institutions #

- Register of Skills, Attributes and Experience data #
- Any data you disclose relating to gifts and hospitality offered or accepted by you in relation to your role on GSA's Board of Governors #
- Any data you disclose relating to expenses claims in relation to your role on GSA's Board of Governors. #
- Any data you disclose relating to the completion of the Register of Meetings. #
- Views and opinions expressed in the course of your participation in meetings of the Board of Governors and committees of the Board.
- Views and opinions expressed in the course of your participation in surveys relating to the effectiveness of the Board and committees of the Board.
- Appraisal and training undertaken
- Photographs #
- Additional contact details

It is important that the personal data that GSA holds about you is current and accurate. Please keep GSA informed of any changes in your personal data.

WHO DO WE SHARE YOUR PERSONAL DATA WITH?

You should be aware that in order for the Corporate Governance Office to function and to provide its services, your personal sensitive personal data may be shared within the organisation or outside GSA. The privacy of your personal data is paramount and your personal data will not be disclosed unless there is a justified legal purpose for doing so.

- GSA staff who need the information for administrative purposes. In the case of candidates for Staff Governor posts, the statement to the electorate will be shared with all GSA staff.
- In relation to the election of the Chair of the Board of Governors, a statement to the electorate, biographies, photographs may be shared with the electorate (staff, students and governors).
- Contractors and suppliers, where GSA uses external services or has outsourced work which involves the processing of Governors' personal data on behalf of GSA. GSA will ensure that appropriate contracts, terms and conditions and/or data sharing agreements are in place and that the contractors and suppliers process personal data in accordance with current data protection legislation and other applicable legislation. Examples of suppliers include IT services and support, confidential waste disposal, mailing services, and the distribution of Board and Board Committee documentation. If GSA needs to transfer your personal information to another organisation for processing in countries that aren't listed as 'adequate' by the European Commission, it will only do so if there are model contracts or other appropriate safeguards and protection in place.
- Government bodies, departments and other public bodies, including the Higher Education Statistics Agency, Office of the Scottish Charity Regulator and Companies House in relation to:
 - Public funding
 - Statistical analysis, monitoring and auditing

- Sponsorship
- Regulatory matters.
- Hotels and external venues for bookings, to confirm accommodation, dietary and access requirements.
- Funding bodies including the Scottish Funding Council, and partner organisations for contracts and funding bids.
- Recruitment search agents, acting on GSA's behalf in connection with the recruitment of the Chair of the Board of Governors, Independent Governors or external members of Board committees.
- Civica Election Services, acting as GSA's election agent in connection with the election of the Chair of Governors.
- Training providers such as AdvanceHE.
- The police and other public bodies with investigatory powers, such as HMRC.
- GSA's insurers, legal advisers and auditors.

GSA is required to make some personal data of its members of the Board of Governors publically available on GSA's website. This is in line with the Nine Principles of Public Life in Scotland, and enables GSA to comply with detailed provisions as set out in the Scottish Code of Good HE Governance (2017).

This includes:

- Publication of a list of the names, together with a brief biography of each of its members of the Board of Governors.
- The agenda and minutes from its Board of Governor meetings. Regarding the latter, contained therein is a list of attendees and these might also make reference to individual Governors' views and opinions expressed in the course of their participation in meetings of the Board of Governors.
- The Annual Report and Accounts, contained therein is a record of members of the Board of Governors' rates of attendance at Board and, if relevant, Board committee meetings.
- Publication of Board committee remits on an annual basis and these include a list of the names and designations of the initial membership of each committee.
- Publication of a current Register of Interests of members of the Board of Governors.
- Publication of a current Register of Skills, Attributes and Experience of its Board of Governors. This is based on information provided by members of the Board.
- GSA may occasionally commission photographs around campus or at specific GSA events such as Degree Show or Graduation which may include images of Governors or external members of Committees for inclusion in promotional material.

GSA will publish appropriately anonymised sensitive personal data relating to its Board of Governors within reports containing assessments of GSA's performance against its equality objectives.

SECURITY

GSA ensures that all personal data which it holds is kept securely and must attempt to ensure that it is not disclosed to any unauthorised third party, accidentally, carelessly, negligently or deliberately. There are comprehensive and effective policies and processes in place to ensure that users and administrators of GSA-held information are aware of their obligations and responsibilities for the data they have access to in terms of data protection legislation.

RETENTION

GSA will retain your personal data only as long as necessary for its purposes as set out in the relevant Records Retention Schedule. Please note, however, that even after termination of your relationship with GSA we may still need to retain your personal data to satisfy obligations to keep certain records for particular periods as applicable by law.

The following records are retained permanently in GSA's archives:

- Agendas, Papers and Minutes of Board and Committee meetings
- Annual reports and financial statements
- Biographies and photographs.

YOUR RIGHTS

You have the right to request access to, copies of and rectification or erasure of personal data held by GSA and to object to processing.

In some circumstance you may have the right to object to the processing of your personal data, to request it is erased where it is no longer required for the stated purposes, or that inaccurate information about you is corrected.

If you have any questions relating to GSA's use of your personal data, these should be referred in the first instance to the Assistant Secretary to the Board by emailing l.davidson@gsa.ac.uk.

If you would like to request copies of your personal data held by GSA (a subject access request) or would like to exercise your other rights (e.g. to have inaccurate data rectified, to restrict or object to processing) please contact the Data Protection Officer (see details below).

You should also contact the Data Protection Officer if:

- you would like to report a data security breach (e.g. if you think your personal data has been lost or disclosed inappropriately).
- you would like to complain about how GSA has used your personal data.

To exercise these rights please contact dataprotection@gsa.ac.uk in the first instance.

You also have the right to lodge a formal complaint against GSA regarding data protection issues with the Information Commissioner's Office: <https://ico.org.uk/concerns/>

WHAT IF YOU DO NOT PROVIDE PERSONAL DATA?

Certain information, such as contact details and confirmation of fitness for office, have to be provided to enable both GSA and Governors or external members of committees to fulfil their respective duties. If you do not provide the required information, this will hinder GSA's ability to fulfil its legal obligations including those under charity and company law.

CHANGES TO THIS PRIVACY NOTICE

The Corporate Governance Office will correspond with you directly, should any changes be made to this Privacy Notice.