



# Privacy Statement

## Council members

Authors:	Nicky Jackson
Publication date:	1 August 2022
Version:	1.0

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# 1.Council members: Privacy Statement

## 2.About this Privacy Statement

This Privacy Statement applies to you and your activities as a member of the Council. It applies to all members of Council and to external members of Council sub-committees.

We have separate privacy statements for staff and students. Where a member of Council holds another role within the University, for example, where they are also a member of staff or student or an Essex Alumnus or Alumna, this privacy statement is in addition to the relevant statement for those groups. We also have a separate statement for all visitors to our website.

Please read this statement alongside our overarching privacy statement which is available from our [Privacy Hub](#).

It is important that you read and retain this statement, together with any other privacy statement we may provide on specific occasions when we are collecting or processing personal data about you, so that you are aware of how and why we are using such information and what your rights are under the data protection legislation.

## 3.What type of information we collect about you

We will collect information related to you and your activities as a Council member. This will include:

- your contact details
- CV and references
- your right to work (including passport information)
- next of kin / emergency contact information
- bank account details
- car parking details
- your right to act as a trustee (including information, as required by the Office of Students to determine that you are a Fit and Proper Person,, and information required about you from the Education and Skills Funding Agency, in accrediting the University to provide apprenticeship training)
- declarations of interests and related party declarations (Register of Interests form)
- Skills and experience information

In the course of your membership of the council we will collect a range of data, including relating to your:

- attendance at meetings and events
- periods of appointment
- training record
- appraisal records
- role and any changes to it
- appointments to sub-committees
- membership of the University library

The UK GDPR makes special provision for 'Special Category' and Criminal Convictions data. Where it is relevant to your role and we are legally allowed to do so, we may hold the following data:

- data relating to your health and wellbeing, including sickness absence, and any relevant health and safety records
- data relating to ethnic origin, health (including mental health), sexual orientation and sex life, political opinions, religious or philosophical beliefs
- data relating to any criminal convictions relevant to the requirements of your role as a member of Council

## **4. Why we use your personal data – and our legal basis for doing so**

When we collect or otherwise process your personal data, we need both a purpose (i.e., a reason) and a legal basis. Under the UK General Data Protection Regulation there are several legal bases. We rely on the following legal bases when processing your personal data.

### 3.1 Public Task

The processing of your personal data is necessary for the effective running of the Council and for the performance of tasks carried out in the public interest or in the exercise of official authority vested in the University. The Council is the University's governing body. The University's founding Charter defines the structure and powers of the Council. These are set out in further detail in the University's Statutes and Ordinances.

### 3.2 Legal obligation

We have various legal obligations that we need to comply with, and we may need to collect, use, or share your personal information as part of that. We have set out our reasons for using your personal information in the table below.

### 3.3 Legitimate interests

From time to time, we may need to use your personal data to pursue our legitimate interests or those of a third party. We rely on legitimate interests when the processing is necessary for our legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect your personal data which overrides those legitimate interests.

Where we rely on our legitimate interests, we mean the:

- pursuit of our activities and objectives, or those of a third party
- compliance with applicable legal and regulatory obligations and any codes of conduct
- improvement and development of our business operations and service offering, or those of a third party
- protection of our services, students, employees, and customers, or those of a third party

Where we rely on our legitimate interests, we have set out those interests in the table below.

#### 3.3 Table 1 - Legal basis for processing your data

<b>Purpose</b>	<b>Legal Basis</b>
Recruitment, appointment, and re-appointment of Members (including due diligence procedures)	Necessary for the performance of a task in the public interest
Management and administration of Members throughout their term of membership (including records of attendance, contributions at meetings, expenses)	Necessary for the performance of a task in the public interest
Managing the Register of Interests	Necessary to comply with a legal obligation
Publication of your details and role on the University's website and in responding to FOIA requests	Necessary to comply with a legal obligation

Compliance with health and safety law and ensuring the safety and security of our people and facilities e.g., recording you as a visitor	Necessary to comply with a legal obligation.
Equal opportunities monitoring	Necessary to comply with a legal obligation.
To prevent fraud	Necessary to comply with a legal obligation.
Monitoring your use of our information and communications systems to ensure compliance with the University's IT policies, where applicable	Legitimate interests. Maintaining security of our systems and services and improving the services we offer.
Issuing identity cards	Legitimate interests. maintaining security of our systems and services and improving the services we offer.
Dietary requirements	Explicit consent

### 3.4 Special Category and Criminal Convictions data

Special Category or Criminal Convictions Data requires an additional legal basis for processing. The University will rely on the following Substantial Public Interest conditions as set out in the Data Protection Act 2018, Schedule 1:

- Equality of opportunity or treatment
- Racial and ethnic diversity at senior levels of organisations
- Regulatory requirements relating to unlawful acts and dishonesty etc
- Protecting the public against dishonesty etc

Where health and safety information is processed, the University will process your personal data as necessary to fulfil its obligations and exercise its specific rights as the data controller.

## 5. Where the data we hold comes from

We collect data directly from you when you apply to become a Council Member, and at the point of offering you Membership. We continue to collect data from you (such as absence notification or expense claims) while you are a Member of Council. We will also ask for references to support your Membership.

## 6. With whom we share your data

As a Council Member you are carrying out a public role. As part of the transparency and scrutiny required for such a role, some details will be published on our website. These are:

- Your name, biographical details, and qualifications
- Your membership type and tenure
- Your declaration of interests
- Your list of remunerated appointments
- Other connections and appointments
- Your related party declaration

Access to other information about Council members is restricted to those who need it in order to carry out their role. This will include the Vice-Chancellor, Registrar and Secretary and their offices, relevant sections within the University including Finance, Planning and Data Insight, People and Culture, and Digital Innovation and Technology Services. We may also share your data with our appointed lawyers where we need to take legal advice, or with our appointed auditors where required for governance purposes.

We may have to share your data with third parties, including third-party service providers and suppliers.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We share data with the [Office for Students](#), HESA, [AdvanceHE](#) and the Education and Skills Funding Agency Register of Apprenticeship Training Providers. It is de-identified before sharing where allowed. The [HESA privacy statements](#) are available on their website.

We may share some information if required to do so by the police or other law enforcement authorities.

## 7. Where we keep your data and how long we keep it for

We have retention schedules that set out how long we keep information of all types, including personal data of Council members.

We do not normally transfer your data outside of the EEA. Data is retained primarily within our corporate information systems, including our HR and Finance and CRM systems, but may be held elsewhere on our network, including within the email system.

If there was a necessity for us to transfer any of your personal data outside the UK, we would ensure the receiving country or organisation is deemed to have adequate data protection provision in place before making any transfer. Where a country or organisation does not have adequate protections, we

would put appropriate safeguards in place. Details of these safeguards can be provided to you upon request.

## **8.Changes to this Privacy Statement**

This privacy statement was published on 1 August 2022. We may change this privacy statement from time to time. Last revised July 2022