



DATA PROTECTION - PRIVACY NOTICE FOR GOVERNORS AND OTHER NON-EXECUTIVE OFFICERS

1. Who this document applies to

This document applies to:

- Current, past and prospective Governors of Dulwich College;
- Current, past and prospective non-executive directors of Dulwich College Enterprises Ltd (DCE) and Dulwich College Enterprises Overseas Ltd (DCEO); and
- Current, past and prospective non-executive members of committees of the College's governing body.

2. What this document does

This Privacy Notice explains how the College collects, uses and shares (or "processes") your personal data and your rights in relation to the personal data we hold.

This Privacy Notice also applies alongside any other information the College may provide about particular uses of personal data, for example when collecting data via an online or paper form.

3. How we collect your information

We may collect your personal data in a number of ways, for example:

- from the information you provide to us when you become a Governor, a non-executive director of DCE and DCEO (including the information we need to file at Companies House) or a non-executive member of a committee of the College's governing body and during the course of the discussions and safeguarding checks that are undertaken prior to your appointment;
- from the information you provide to us when completing the annual Declaration of Interests form;
- from information we may obtain from checking public registers such as the Insolvency Register, the register of disqualified directors maintained by Companies House; and the register of persons who have been removed as a charity trustee;
- from information provided by you orally when attending meetings; and
- from third parties, for example the Disclosure and Barring Service (DBS).

More generally, during the course of your governorship/directorship/committee membership, we will collect data from or about you, including:

- when you provide or update your contact details; and

- in various other ways as you interact with us (including attending events).

4. The types of information we collect

We may collect the following types of personal data:

- contact and communications information, including your contact details and the contact details of your spouse/partner;
- records of communications and interactions we have had with you;
- biographical, educational and social information, including: (a) your name, title, gender, nationality and date of birth; (b) photographs taken for the College website and when you are visiting the College; (c) details of your education and career; and (d) your interests; and
- financial information in order to recover expenses etc. (as applicable).

Where necessary, we may also collect special categories of data¹, including:

- information revealing your racial or ethnic origin;
- information concerning your health and medical conditions (for example, allergies and special dietary requirements); and
- information about certain criminal convictions (where this is necessary for compliance with our legal and regulatory obligations).

However, this will only be undertaken where and to the extent it is necessary for a lawful purpose in connection with your role.

5. The bases for processing your personal data, how that data is used and whom it is shared with

(a) Legitimate Interests

We process your personal data because it is necessary for our (or sometimes a third party's) legitimate interests. Our "legitimate interests" include our interests in running the College in a professional, sustainable manner, in accordance with all relevant ethical, educational, charitable, legal and regulatory duties and requirements (whether or not connected directly to Data Protection Law²). In this respect, we use your personal data for the following purposes:

¹ Special category data is information about an individual's race, ethnic origin, politics, religion, trade union membership, health, genetics, biometrics (where used for ID purposes), sex life or sexual orientation.

² The General Data Protection Regulation as retained and applied in the UK ("UK GDPR") and Data Protection Act 2018 and all other data protection law and regulations

- for the recruitment, selection and appointment of new Governors and other non-executive officers;
- to provide you with information about us (including sending you papers for meetings);
- for security purposes, including by operating security cameras in various locations on the College's premises;
- to enable relevant authorities to monitor the College's performance and to intervene or assist with incidents as appropriate;
- to enable investment managers, banks and other regulated third parties to carry out any due diligence checks they are legally required to undertake;
- to facilitate (a) communications amongst and between Governors and other non-executive officers; and (b) communications amongst and between non-executive officers and senior management;
- for the purposes of minuting meetings of the Governors, their Committees and the boards of directors of DCE and DCEO;
- to monitor (as appropriate) use of the College's IT and communications systems in accordance with the College's IT acceptable use policies and government guidance such as Keeping Children Safe in Education.
- to carry out or cooperate with any College or external complaints, disciplinary or investigatory process;
- in connection with organising events and social engagements;
- making travel and hotel arrangements on your behalf, where required;
- inviting you and your spouse/partner to events;
- arranging visits for you and to circulate your feedback afterwards to the College Leadership Team, the Chair of Governors and the Chair of the Education Committee;
- briefing staff about you (for example, an announcement is put on the intranet when a Governor is visiting, including brief biographical information);
- arranging your induction when you are first appointed;
- arranging training for you;
- publishing your image and biographical information about you on our website.

Please note that the Development Office has a separate Privacy Notice, which you can view on the College's website.

(b) Legal Obligations

We also process your personal data for our compliance with our legal obligations, notably those in connection with charity law, company law, tax law and accounting. We use your personal data for the following purposes:

- to meet our legal obligations (for example, relating to child welfare, filing annual returns with the Charity Commission and Companies House); and
- for tax and accounting purposes (including naming you in the statutory accounts of the College, DCE and/or DCEO, if applicable).

(c) Special categories of data

We process special categories of personal data (including data concerning health) or criminal convictions and allegations as follows:

- information about any allergies or special dietary requirements- in order that we can make appropriate arrangements when you are attending eating at the College;
- data about criminal convictions/offences - when conducting criminal background checks with the DBS, or where it is necessary to record or report an allegation (including to police or other authorities, with or without reference to you).

We will process special categories of personal data for lawful reasons only.

6. Internal use

Your contact details (including home address, email address, landline and mobile numbers) are not made generally available to staff. They are available to senior management (and their secretaries) but are only shared with other staff on a case-by-case basis (as authorised by the Clerk to Governors), for example when a Head of Subject would like to phone or email a Governor to invite them to give a talk at the College.

7. Sharing your information with others

For the purposes referred to in this Privacy Notice and relying on the bases for processing as set out above, we may share your personal data with certain third parties including:

- Other Governors of Dulwich College, non-executive directors of DCE and DCEO and non-executive members of committees of the governing body;

- the Disclosure & Barring Service and other relevant authorities and agencies such as the Department for Education, the Independent Schools Inspectorate, the Information Commissioner's Office, the Charity Commission and Social Services;
- the College's auditors and other professional advisers;
- other schools and bodies with whom the College carries on activities;
- the Dulwich Estate and its beneficiaries;
- Dulwich College Management International Ltd and its parent companies (if you are a director of DCEO); and
- when the College is legally required to do so (by a court order, government body, law enforcement agency or other authority of competent jurisdiction), for example HM Revenue and Customs and the police.

8. Data accuracy and security

The College will endeavour to ensure that all personal data held in relation to you is as up to date and accurate as possible. Please notify the College of any significant changes to important information, such as contact details.

You have the right to request that any inaccurate or out-of-date, irrelevant or inaccurate or information about you is erased or corrected (subject to certain exemptions and limitations under Data Protection Law).

The College will take appropriate technical and organisational steps to ensure the security of personal data, including policies around use of technology and devices, and access to College systems.

9. International Transfers

Some of the personal data we process about you may be transferred to, and stored at, a destination outside the European Economic Area ("EEA")³, for example if you are visiting one of our international schools or where personal data is processed by one of our suppliers who is based outside the EEA or who uses data storage facilities outside the EEA. A number of the College's IT systems are provided by third parties who are based or use servers outside the EEA (e.g. providers of hosted databases, websites, school post system, school portal, cloud storage and management information systems).

While some countries have adequate protection for personal data under applicable laws, in other countries steps will be necessary to ensure appropriate safeguards apply to it. These include imposing contractual

³ The EEA comprises the countries in the European Union and Iceland, Liechtenstein and Norway.

obligations of adequacy or requiring the recipient to subscribe or be certified with an international framework of protection.

10. How long your information is kept

The College will retain personal data securely and only for so long as is necessary for a legitimate and lawful reason.

However, the minutes of meetings of the Governors and its committees and the Boards of DCE and DCEO are retained by the College in perpetuity and form part of the historical records of the College which date back to its foundation in 1619. Researchers may on occasion be permitted access to minutes on a case-by-case basis, depending on the confidentiality of their contents and their contemporary relevance. In addition, the Clerk has agreed with the College Archivist a general rule that minutes that are less than 30 years old will not be disclosed to third parties without express permission from the Clerk to Governors.

If you have any specific queries about data retention, please contact the Clerk to Governors.

11. Your rights

Individuals have various rights under Data Protection Law to access and understand personal data about them held by the College, and in some cases to ask for it to be erased or amended or have it transferred to others, or for the College to stop processing it (subject to certain exemptions and limitations).

The College will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits (which is one month in the case of requests for access to information). You should be aware that the right of access is limited to your own personal data and certain data is exempt from the right of access. This will include information which identifies other individuals, or information which is subject to professional privilege (for example, legal advice given to or sought by the College or documents prepared in connection with a legal action).

You may have heard of the “right to be forgotten” (or right of “erasure”). We will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your personal data, for example, a legal requirement. All such requests will be considered on their own merits and on a case by case basis.

12. Queries and complaints

If you have any query about this Privacy Notice or believe that the College has breached the Data Protection Law, please contact the Clerk to Governors, Dulwich College, Dulwich Common, London SE21 7LD. Phone: 0208 299 9306 Email: legal@dulwich.org.uk

You also have the right to take any complaints about how we process your personal data to the **Information Commissioner’s Office**, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (Tel: 0303 123 1113

Website: www.ico.org.uk/concerns). Please note that the ICO recommends that steps are taken to resolve matters with the relevant organisation before involving the ICO.

Policy Owner:	Clerk to the Governors
Last Reviewed:	January 2023
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