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## Summary

The Open University needs to collect and process [personal data](#) in order to carry out our duties when managing our governance committees

This document sets out how we use your personal data.

This document will be updated from time to time in order to ensure compliance with data protection legislation.

# Scope

## What this document covers

This document applies to

- Members of Open University governance committees, including members of the Council, the Senate and their subcommittees.

For more information, see also our [Privacy and Cookies](#) page

# Policy

## 1. Who we are

- 1.1 The Open University is the [data controller](#) in relation to the processing activities described below. This means that The Open University decides why and how your personal information is processed.

Where this policy refers to “we”, “our” or “us” below, unless it mentions otherwise, it is referring to The Open University.

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## 2. What information do we collect about you and how do we collect it?

- 2.1 We create a record for you when you join a governance committee. This document relates to information held by the Open University, relating to committee management. If you are a member of staff or a student at the Open University, please see additional information on our [Privacy and Cookies](#) page

### Information that you give to us

- 2.2 You will normally give us your personal details when you join a committee and information will be added to your record while you are a committee member. Data we hold on you may include
- Personal details such as name, date of birth, gender, dietary requirements and contact details
  - Bank or building society details
  - Education, qualification and previous and current employment information (including contact details for your personal assistant, if you have one)
  - Health and safety information, including accident reports.
  - We will ask for a declaration of interests to publish in a register We ask for your [special category](#) data such as nationality, religion, sexual orientation, ethnic origin and disability information, but you can choose not to disclose this.
  - Council members are also asked to
    - Provide passport details

- provide biographical information and a photograph for our external website complete a skills matrix

### **Information that we create or collect**

2.3 During your engagement with us, we may create or collect information which includes

- Records of expenses paid
- Attendance records
- Your opinion on the effectiveness of governance committees, including self-evaluation, via surveys
- Your photograph
- Register of Interests
- A user ID for our governance website which identifies your name
- Council members may be given a staff ID

### **Information that we automatically collect**

2.4 Some of our systems and processes automatically collect personal information. These include

- Door entry logging
- IT system use is logged and monitored.
- CCTV cameras across OU sites. There are number plate recognition cameras at campus entry and exit, but these are not linked to databases containing vehicle information.

### **Information we receive from third parties**

2.5 We may receive some information about you from third parties.

- References about you may be received from previous employers or other relevant people
- Information collected by a recruitment agency would be sent to us for consideration including CVs, letters of application, and an assessment by the recruitment agency following initial conversations
- If you are a student member, information may be provided to us by the OU Students Association

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## **3. How do we use your personal information?**

3.1 We collect and process a broad range of personal data about you in order to to manage our committees and their work effectively, to meet our legal requirements and to provide a better service to members. This is an activity relating to our public task of governing the Open University.

### **Recruitment activities**

3.2 For some committee roles, we collect your personal data on application forms and CVs etc (see Paragraph 2.5). This is in our legitimate interest of managing recruitment processes, and identifying suitable candidates for membership of governance committees

- It is possible that publicly accessible social media profiles will be viewed as part of the recruitment process. If so, applicants should be informed in the recruitment process.
- Information you give about criminal convictions will be used to assess your suitability for a role.

3.3 Unsuccessful applicant data will be retained for six months following the recruitment process. Personal data which is included in a committee paper or minutes will be kept permanently.

## Management of OU Governance

3.4 We use your personal data to carry out activities which are necessary for the management of OU governance. These are likely to include the following:

- Payment of expenses
- Insurance
- Providing and managing training, development and progression
- Maintaining your attendance record at committee meetings
- Attendance at university events, such as degree ceremonies and Charter Day
- Managing complaints and grievances. If you provide “[special category](#)” information for this purpose, it will not be used for any other purposes.
- Maintaining contact details for emergency planning and emergency situations
- Maintaining a safe environment
- Equality reporting

If you give us information about your health or disabilities, and if relevant, we will provide reasonable adjustments

3.5 If you do not provide some of the information we need, it may put your engagement with us at risk.

## Planning and Reporting

3.6 We use personal data to plan, assess, improve and report on our activities

- Equality monitoring and statistics (which includes [special category](#) data, if you have given it to us, but is not used to make decisions about individuals)
- Producing statistical information for publication
- Benchmarking our activities against other organisations
- Requesting participation in surveys to help us improve the effectiveness of our governance committees
- We monitor website usage in order to improve our service. For use of [cookies](#) on OU websites, please see [www.open.ac.uk/privacy](http://www.open.ac.uk/privacy)

## Activities we carry out in our legitimate interest

3.7 We carry out activities to provide a safe environment, maintain security, and prevent and detect crime:

- Administration of The Open University’s CCTV system, to provide a safe environment and facilitate the prevention and detection of crime.
- Vehicle registrations are used, if provided to the OU, to manage car parking and security
- To prevent fraud and other criminal activities, for example fraud in relation to public funding
- To monitor use of IT services and ensure network and information security

- 3.8 We carry out some activities to manage our operations effectively
- We test and maintain our systems to ensure robust performance
- 3.9 We carry out activities to facilitate compliance and legal claims
- We audit our activities in order to ensure regulatory compliance
  - We record concerns about people being drawn into terrorism (*Prevent*)

### Activities we carry out as we have a legal obligation

- 3.10 Compliance with legal obligations such as making external / statutory returns to organisations such as the Higher Education Statistics Agency (HESA)
- 3.11 Undertaking subject access requests

## 4. Who do we share your information with?

- 4.1 We share data with a number of organisations for specific purposes.

Disclosure to	Details	Basis for transfer
Higher Education statistics Agency (HESA)	Some information will be sent to the HESA for statistical analysis and to allow government agencies to carry out their statutory functions. You are advised to refer to the <a href="#">HESA staff collection notice</a> for further details	Legal obligation
Office for Students (OfS)	Some information will be sent to OfS for statistical analysis and to allow government agencies to carry out their statutory functions	Legal obligation
Recruitment consultants	Some information (normally names and biographical information of committee members on an appointment panel) will be provided to recruitment consultants and candidates to be interviewed when appointing senior staff and external members of the Council and its committees	Legitimate interest
Department for International Development (DFID)	DFID ask the Open University to provide Council member passports as part of their due diligence checks. This is a pre-condition for the University being awarded grant(s) applied for	Public task

### Third party suppliers and service providers

- 4.2 We use third party suppliers and service providers for a number of activities, from providing IT systems for file storage, and library systems authentication, and requesting expert advice. We engage consultants for specific pieces of work, which may involve them processing personal data on our behalf. We may also provide details to our insurers or legal consultants, external auditors, or debt collection agencies.
- 4.3 It is in our legitimate interest to use third party suppliers to maintain cost effective and efficient operations.

- 4.4 When we use third party service providers, we only disclose to them any personal information that is necessary for them to provide their service. We have a contract in place that requires them to keep your information secure and not to use it other than in accordance with our specific instructions.

### **Other ways we may share your personal information**

- 4.5 We may transfer your personal information to a successor organisation if The Open University ceases to exist. We may also transfer your personal information if we are under a duty to disclose or share it in order to comply with any legal obligation, to detect or report a crime, to enforce or apply the terms of our contracts or to protect the rights, property or safety of our staff, students and visitors. However, we will always aim to ensure that your privacy rights continue to be protected.

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## **5. How long do we keep your personal information for?**

- 5.1 If we collect your personal information, the length of time we keep it for is determined by a number of factors including our purpose for using the information and our legal obligations.
- 5.2 We have a retention schedule for information and keep identifiable records only for as long as they have a legal or business purpose.
- 5.3 Generally, committee member data will be kept for 6 years after engagement ends, with some information being deleted sooner. However, we will keep records of minutes, which includes a record of attendance, in our archive as this has historical value. See the [retention schedule](#) for more information (available internally.)

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## **6. Your rights**

- 6.1 You have a number of rights in relation to your personal information, which apply in certain circumstances. In order to exercise any of these rights, please contact us using the details in Section 8 of this document.
- 6.2 You have the right to:
- access the personal information that we hold about you
  - correct inaccuracies in the personal information that we hold about you
  - request that we stop sending you direct marketing communications.

In certain circumstances, you have the right to

- have your details removed from systems that we use to process your personal data
- restrict the processing of your personal data in certain ways
- obtain a copy of your personal data in a structured electronic data file
- object to certain processing of your personal data by us

- 6.3 If you are concerned about the way we have processed your personal information, you can complain to the Information Commissioner's Office (ICO). Please visit the [ICO's website](#) for further details.
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## 7. Contact us

- 7.1 Please direct any queries about this policy or about the way we process your personal information to our Data Protection Officer using the contact details below.

- Email: [data-protection@open.ac.uk](mailto:data-protection@open.ac.uk)
- Telephone: +44(0)1908 653994
- By post: The Data Protection Officer, PO Box 497, The Open University, Walton Hall, Milton Keynes MK7 6AT.

## Glossary

### Personal data

According to the General Data Protection Regulation, 'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

### Cookies

A cookie is a small amount of data, which often includes a unique identifier that is sent to your computer or mobile phone browser from a website's computer and is stored on your computer's or mobile phone's hard drive. Each website can send its own cookie to your browser if your browser's preferences allow it, which the site can then access when you visit it again to track online traffic flows, for example. A website cannot access cookies sent by other websites.

### Data Controller

A data controller determines the purposes for which and the manner in which any personal data are processed. In essence, this means that the data controller decides how and why personal data are processed.

### Privacy Shield

Privacy Shield is a framework which provides companies on both sides of the Atlantic with a mechanism to comply with data protection requirements when transferring personal data from the European Union to the United States. US based organisations self-certify to the Department of Commerce and publicly commit to comply with the Framework's requirements, which is then enforceable under US law.

### Special categories of data

The General Data Protection Regulation sets out "special categories" of data which have to be given additional protection. These comprise your racial or ethnic origin, religious beliefs, political

opinions, trade union membership, genetics, biometrics (where used for ID purposes) physical or mental health, sex life and sexual orientation. Information about criminal offences or criminal proceedings are treated similarly.