

## Privacy Notice – Board of Directors

The Data Controller of the information being collected is: Sabhal Mòr Ostaig, Teangue, Isle of Skye, IV44 8RQ. Tel: 01471 888 000.

For any queries or concerns about how your personal data is being processed you can contact the Data Protection Administrator at [gdpr@smo.uhi.ac.uk](mailto:gdpr@smo.uhi.ac.uk) or the Data Protection Officer at [dataprotectionofficer@uhi.ac.uk](mailto:dataprotectionofficer@uhi.ac.uk).

This privacy statement relates to the following processing:

### **Board of Director Records**

Sabhal Mòr Ostaig collects and processes personal data relating to prospective members of the Board of Directors to manage all aspects of the selection process.

For appointed Board members, personal data is processed to manage the ensuing relationship with Sabhal Mòr Ostaig and for Sabhal Mòr Ostaig to fulfil their official functions and meet legal requirements.

Your information will be used for the following purposes:

<b>Purpose 1: Application to the Board</b>	<ul style="list-style-type: none"> <li>• Application to the Board</li> <li>• Communication with you</li> <li>• Panel selection</li> <li>• Selection to the Board</li> </ul>
<b>Purpose 2: Board membership appointments and administration</b>	<p>All aspects of appointment to the Board and administration, including</p> <ul style="list-style-type: none"> <li>• Communication with you</li> <li>• Board function</li> <li>• Retirement from the Board</li> </ul>
<b>Purpose 3: Training and development</b>	<p>To provide and record relevant training where required and to record any changes in professional development, all of which informs the Board's development plan.</p>
<b>Purpose 4: Creation and maintenance of relevant Board records</b>	<p>Attendance recorded at Board and Committee meetings for Sabhal Mòr Ostaig and statutory reports. Input into agendas, papers and meetings.</p>
<b>Purpose 5: Expense reimbursement</b>	<p>To allow reimbursement of expenses encountered as Board Member and to record those transactions for financial records.</p>
<b>Purpose 6: ICT account and services provisioning, and ICT security.</b>	<ul style="list-style-type: none"> <li>• Providing you with UHI/SMO ICT services and accounts such as IT and information services (for example, access to email and virtual learning environment). As part of this your name and SMO email address will be included on UHI's email address list which is available to all UHI partnership staff and students, and HISA staff. This allows staff and peers to email you and allows you to contact peers and staff.</li> </ul>

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	<ul style="list-style-type: none"> <li>Please be aware that the organisation reserves the right to access files and communications created in SMO/UHI systems (including systems provided for SMO work) as set out in <a href="#">SMO Computer Use Policy</a></li> <li>Keeping the SMO/UHI computer systems and networks safe and secure. This includes monitoring network traffic to identify suspicious events and sending phishing training emails to users (these may include false phishing emails used to educate users).</li> </ul>
<b>Purpose 7: Equality monitoring</b>	<ul style="list-style-type: none"> <li>To monitor and promote equality and diversity within Sabhal Mòr Ostaig in accordance with the Equality Act 2010.</li> <li>To create and assess such reports as are required for that function.</li> </ul>
<b>Purpose 8: Statutory and internal and external reporting and requests for information. Internal and external audit</b>	<ul style="list-style-type: none"> <li>Submission of data to organisations and national bodies where required.</li> <li>Responding to requests under legal obligations such as FOI</li> <li>Use of data for auditing purposes</li> </ul>
<b>Purpose 9: Conflict of interest management</b>	<ul style="list-style-type: none"> <li>Gathering and assessing all relevant information about potential conflicts of interest in respect of your role on the SMO Board of Directors. Publication of the legally required information about any such interests in a Register of Interests. Pursuant to the Companies Act and Anti-Bribery and Corruption Act.</li> </ul>

### Our legal reasons for using the data are:

To achieve the **Purpose 1 Application to the Board** following purposes:

**Our legal reason to use the data is:** Use is necessary for us to comply with a legal obligation. Sabhal Mòr Ostaig has statutory duties under the Further and Higher Education (Scotland) Act to appoint Board members. These duties can only be fulfilled by processing your personal information

To achieve the **Purpose 2: Board membership appointments and administration** following purposes:

**Our legal reason to use the data is:** Use is necessary for us to comply with a legal obligation. Sabhal Mòr Ostaig has statutory duties under the Further and Higher Education (Scotland) Act to appoint Board members. These duties can only be fulfilled by processing your personal information.

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**To achieve the following purposes:** Purpose 3: Training and development

**Our legal reason to use the data is:** Use is necessary for the performance of a contract with you. That being your role as Board Member for Sabhal Mòr Ostaig and the corresponding governance requirements.

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**To achieve the following purposes:** Purpose 4: Creation and maintenance of relevant Board records

**Our legal reason to use the data is:** Use is necessary for us to comply with legal obligations such as recording attendance of Board Members for the annual statement.

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**To achieve the following purposes:** Purpose 5: Expense reimbursement

**Our legal reason to use the data is:**

- 1) Use is necessary for the performance of a contract with you. That being your role as Board Member for Sabhal Mòr Ostaig.
- 2) Use is necessary for us to comply with legal obligations such as recording financial transactions

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**To achieve the following purposes:** Purpose 6 ICT account and services provisioning, and ICT security

**Our legal reason to use the data is:**

- 1) Use is necessary for performing a task in the public interest or under official authority vested in us. That being Sabhal Mòr Ostaig's public task as an educational and research establishment and keeping its networks secure.
- 2) Use is necessary to comply with legal obligations: to keep networks and systems safe to comply with data protection laws and other obligations.

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**To achieve the following purposes:** Purpose 7: Equality monitoring

**Our legal reason to use the data is:** Use is necessary for us to comply with legal obligations such as the Equality Act 2010.

**We use special category data to achieve this purpose, that being: Race, ethnic origin, health, sexual orientation.**

**Our special category condition for using this data for this purpose is:** Use is necessary for compliance with social protection law, and statutory purposes in the public interest in this case the Equality Act 2010's obligations for Sabhal Mòr Ostaig to encourage, enhance and monitor equality of opportunity and treatment.

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**To achieve the following purposes:** Purpose 8: Statutory and internal and external reporting and requests for information. Internal and external audit

**Our legal reason to use the data is:** Use is necessary for us to comply with legal obligations such as the Equality Act 2010.

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**We use special category data to achieve this purpose, that being: Race, ethnic origin, health, sexual orientation.**

**Our special category condition for using this data for this purpose is:** Use is necessary for compliance with social protection law, in this case the Equality Act 2010. We produce reports based on anonymized data to demonstrate, and allow meaningful investigation of our compliance with the Equality Act 2010.

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**To achieve the following purposes:** Purpose 9: Conflict of interest management:

**Our legal reason to use the data is:** Use is necessary for us to comply with legal obligations such as the Companies Act and Anti-Bribery and Corruption Act.

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**If you were to withhold the personal information we require for these processes, the consequences would be:**

You would be unable to hold the position of Board Member as Sabhal Mòr Ostaig would be unable to meet its governance requirements.

**Your data will, or may, be shared with the following recipients or categories of recipient:**

- Scottish Government
- Colleges Scotland
- Companies House
- Scottish Charity Regulator (OSCR)
- Scottish Funding Council (SFC)
- As a Board member, any conflict of interest you declare will be published online in keeping with the requirements of the relevant laws. This may include publication of shareholdings of financial interests you declare. Any failure to declare correctly may be reported to relevant bodies.
- Necessary personal data may be shared with legal, regulatory and statutory bodies as required by law, regulation or substantial public interest.
- Metacompliance for the provision of ICT security and training services (including phishing email training)
- The University of the Highlands and Islands as a partnership educational institution.

**This process does not involve your data being sent outside of the European Union.**

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### **Your data will be retained for the following length of time:**

If not appointed as a Board Member, your data will be retained by the Board Secretary for no longer than 6 months past the closing date.

If successful, your data will be held by Sabhal Mòr Ostaig for:

- The duration of your service plus 2 years.
- Financial records will be kept for 7 years.
- Generated records (as in purpose 4) will be retained permanently.
- Your name and photograph may be archived for their historical value to Sabhal Mòr Ostaig.

### **The following rights are rights of data subjects:**

- The right to access your personal data
- The right to rectification if the personal data we hold about you is incorrect
- The right to restrict processing of your personal data

The following rights apply only in certain circumstances:

- The right to withdraw consent at any time if consent is our lawful basis for processing your data
- The right to object to our processing of your personal data
- The right to request erasure (deletion) of your personal data
- The right to data portability

**You also have the right to lodge a complaint with the Information Commissioner’s Office about our handling of your data.**

**The Information Commissioner’s Office is UK’s independent authority set up to uphold information rights in the public interest. Their website is [www.ico.org.uk](http://www.ico.org.uk)**