**Privacy Notice (How we use Governors Information)**

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store, and use personal data about Governors.

We, TrustEd Schools Alliance (hereafter referred to as 'the school', which includes all schools within the TrustEd Schools Alliance Trust), are the 'data controller' for the purposes of data protection law. Our Data Protection Officer is Rob Montgomery.

**The categories of school information that we process:**

These include:

- Personal information (such as name, date of birth, contact details and postcode)
- Governance Dettails (such as role, start and end dates and governor ID, name, address and date of birth)
- Characteristics information (such as gender, age, ethnic group, next of kin, etc)
- Qualifications
- CCTV footage from in and around the school site

**Why we collect and use this information:**

The personal data collected is essential, in order for the school to fulfil their official functions and meet legal requirements.

We collect and use governance information, for the following purposes:

a) to meet the statutory duties placed upon us

Under the General Data Protection Regulation (GDPR), the legal bases we rely on for processing personal information for general purposes are:

- for the purpose **a)** named above in accordance with the legal basis of **Legal Obligation (Article 6(1)(e)**

All maintained school governing bodies, under section 538 of the Education Act 1996 and academy trusts, under the Academies Financial Handbook have a legal duty to provide the governance information as detailed above.

In addition, concerning any special category data:

- conditions GDPR - Article 9(2)(a) (e) (g)

**The lawful basis on which we process this information:**

We confirm that we process personal data under the following regulations:

1. Article 6 of the General Data Protection Regulations

(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;

(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;

(c) processing is necessary for compliance with a legal obligation to which the controller is subject;

(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

2. Article 9 of the General Data Protection Regulations

Processing shall be lawful only if and to the extent that at least one of the following applies:

(a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;

(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;

(c) processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;

(f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;

(g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;

3. Surveillance Camera Code of Practice (PoFA 2012)

The school complies with Information Commissioner's Office (ICO) CCTV Code of Practice to ensure CCTV is used responsibly and safeguards both trust and confidence in its continued use.

**Collecting this information:**

We collect personal information via a Governor Declaration form.

Governance data is essential for the school's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it may be requested on a voluntary basis. In order to comply with GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

**Storing this information:**

We hold governors' data securely in compliance with GDPR to enable us to comply with the law. Records are retained as per the recommended practice laid out by the Information and Records Management Society (IRMS).

**Who We Share This Information With**

We routinely share this information with:

• our local authority

• the Department for Education (DfE)

• TrustEd Schools Alliance Trust

Occasionally this information can be shared with official organisations such as the Police or other legal bodies. In accordance with other trust policies – safeguarding, GDPR.

**Why we share the governors information:**

We do not share information about governors with anyone without consent unless the law and our policies allow us to do so.

**Local Authority:**

We are required to share information about our governors with our local authority (LA) under section 538 of the Education Act 1996

**Department for Education (DfE):**

The Department for Education (DfE) collects personal data from educational settings and local authorities. We are required to share information about individuals in governance roles with the Department for Education (DfE), under:

section 538 of the Education Act 1996

All data is entered manually on the GIAS system and held by DfE under a combination of software and hardware controls which meet the current government security policy framework.

For more information, please see 'How Government uses your data' section.

**Data Collection Requirements:**

To find out more about the requirements placed on us by the Department for Education including the data that we share with them, go to https://www.gov.uk/government/news/national-database-of-governors

**Note:** Some of these personal data items are not publicly available and are encrypted within the GIAS system. Access is restricted to a small number of DfE staff who need to see it in order to fulfil their official duties. The information is for internal purposes only and not shared beyond the department, unless the law allows it.

**Requesting access to your personal data:**

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact the schools Data Protection Officer and the schools Head Teacher.

You also have the right to:

• object to processing of personal data that is likely to cause, or is causing, damage or distress

• prevent processing for the purpose of direct marketing

• object to decisions being taken by automated means

• in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and

• claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at https://ico.org.uk/concerns/

**Further information contact:**

**Luke Bridges – Headteacher, St Leonard's Primary School**

**Sarah Godden – CEO TrustEd Schools Alliance**

**Trust Central Offices**

**Data Protection Officer**
Rob Montgomery
Data Protection Officer
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