

Data Privacy Notice – Governors and Volunteers May 2023

Introduction

This privacy notice has been written to inform governors, and volunteers about how and why we process your personal data.

Holy Trinity C of E Primary School is a data controller as defined by the UK GDPR. This means that we determine the purposes for which your personal data is processed and the manner of the processing. We will only collect and use your personal data in ways that are compliant with data protection legislation.

The school has appointed London Borough of Merton as its Data Protection Officer (DPO). The role of the DPO is to monitor our compliance with the UK GDPR and the Data Protection Act 2018 and advise on data protection issues.

What personal information do we collect?

The personal data we collect about you includes:

- Personal identifiers, including your name, address and contact details.
- Information relating to your particular role, i.e. if you are a parent governor, community governor etc.
- Information about the history of your appointment.
- Your business and/or financial interests, where applicable.
- Relevant criminal history data, including your DBS check, where applicable.
- Photographs or video images of you, including CCTV footage.
- Relevant skills, expertise and qualifications.
- References you have provided.
- Records of communications and interactions we have with you.
- Equality monitoring information, such as your ethnicity, religious beliefs and gender.
- Information about any health condition or disability you may disclose.
- E-monitoring information about your use of the school's network and IT systems.

Why do we collect your personal information?

We process your information for the purposes outlined below:

- To establish and maintain effective governance.
- To meet our safeguarding obligation to pupils and the school workforce.
- To meet statutory obligations for publishing and sharing governor or trustee details.
- To meet our health and safety obligations.
- To monitor and manage skills, training and personal development.
- To make any reasonable adjustments you may need in relation to a health condition or disability.
- To promote the school, including in newsletters, on the school website and social media platforms.

What is our lawful basis for processing your information?

Under the UK GDPR, it is essential to have a lawful basis when processing personal information. We normally rely on the following lawful bases:

- Article 6(1)(c) - legal obligation
- Article 6(1)(e) - public task

There may be occasions where our processing is not covered by one of the legal bases above. In that case, we may rely on Article 6(1)(f) - legitimate interests. We only rely on legitimate interests when we are using your data in ways you would reasonably expect.

All local authority maintained school governing bodies, under section 538 of the Education Act 1996 have a legal duty to provide the governance information as detailed above.

For the processing of personal data relating to criminal convictions and offences, processing meets Schedule 1, Part 2 of the Data Protection Act 2018 as below:

- (10) Preventing or detecting unlawful acts

Some of the information we collect about you is classed as special category data under the UK GDPR. The additional conditions that allow for processing this data are:

- Article 9(2)(g) - reasons of substantial public interest

The applicable substantial public interest conditions in Schedule 1 of the Data Protection Act 2018 are:

- Condition 6 - statutory and government purposes
- Condition 10 - preventing or detecting unlawful acts
- Condition 18 - safeguarding of children and vulnerable people

Who do we obtain your information from?

We normally receive this information directly from you, for example via documents and other records and information supplied by you in the course of your application for the role or a period of volunteering. However, we may also receive some information from the following third parties:

- Disclosure and Barring Service (DBS).
- Local Authority.
- Referees you have provided.
- Governor support services, if applicable.

Who do we share your personal data with?

We may share your information with the following organisations:

- Department for Education (DfE).
- Disclosure and Barring Service (DBS).
- Local Authority.

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- Any relevant funding authority.
- Our IT application providers, where relevant to your role.
- Governor support services.

Department for Education (DfE)

The Department for Education (DfE) collects personal data from educational providers 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 service and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current government security policy framework.

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

We may also share information with other third parties where there is a lawful basis to do so. For example, we sometimes share information with the police for the purposes of crime detection or prevention.

Storing governance information

We will retain your information in accordance with our retention schedule. The retention period for most of the information we process about you is determined by statutory obligations. Any personal information which we are not required by law to retain will only be kept for as long as is reasonably necessary to fulfil its purpose. We may also retain some information for historical and archiving purposes in accordance with our retention schedule.

International transfers of data

Although we are based in the UK, some of the digital information we hold may be stored on computer servers located outside the UK. Some of the IT applications we use may also transfer data outside the UK. Normally your information will not be transferred outside the European Economic Area, which is deemed to have adequate data protection standards by the UK government. In the event that your information is transferred outside the EEA, we will take reasonable steps to ensure your data is protected and appropriate safeguards are in place.

What rights do you have over your data?

Under the UK GDPR, individuals have the following rights in relation to the processing of their personal data:

- to be informed about how we process your personal data. This notice fulfils this obligation.
- to request a copy of the personal data we hold about you.
- to request that your personal data is amended if inaccurate or incomplete.
- to request that your personal data is erased where there is no compelling reason for its continued processing.
- to request that the processing of your personal data is restricted.

- to object to your personal data being processed.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the Headteacher.

If you have any concerns about the way we have handled your personal data or would like any further information, then please contact the Headteacher.

If we cannot resolve your concerns then you may also complain to the Information Commissioner's Office, which is the UK's data protection regulator. Their contact details are below:

Phone: 0303 123 1113 or via their live chat. Opening hours are Monday to Friday between 9am and 5pm (excluding bank holidays). You can also report, enquire, register and raise complaints with the ICO using their web form on [Contact us | ICO](#).

Last updated

We reserve the right to change this privacy notice at any time. We will normally notify you of changes that affect you. However, please check regularly to ensure you have the latest version.

This privacy notice was last reviewed in May 2023.

How government uses your data

The governance data that we lawfully share with the Department for Education (DfE) via GIAS will:

- increase the transparency of governance arrangements
- enable local authority-maintained schools, academies, academy trusts and the Department for Education (DfE) to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context
- allow the Department for Education (DfE) to be able to uniquely identify an individual and in a small number of cases conduct checks to confirm their suitability for this important and influential role

Data collection requirements

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

Some of these personal data items are not publicly available and are encrypted within the GIAS system. Access is restricted to authorised Department for Education (DfE) and education establishment users with a Department for

Education (DfE) Sign-in account 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 for Education (DfE) unless the law allows it.

How to find out what personal information the Department for Education (DfE) hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a subject access request (SAR). Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact DfE: <https://www.gov.uk/contact-dfe>