

PRIVACY NOTICE FOR GOVERNORS AND VOLUNTEERS

Status: Statutory

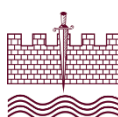
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Reviewed and ratified by: Audit, Risk and Resources Committee

Signed by Trust/Committee Chair *Sildi Jasharaj*

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Southend East Community Academy Trust (SECAT) is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you during and after your work relationship with us, in accordance with the UK General Data Protection Regulation (UK GDPR).

It applies to governors and volunteers.

Who collects this information?

SECAT is a 'Data Controller' for the purposes of data protection law. This means that we are responsible for deciding how we hold and use personal information about governors and volunteers.

We are required under data protection legislation to notify you of the information contained in this privacy notice. This notice does not form part of any contract of employment or other contract to provide services and we may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

(How we use personal information on Get Information about Schools (GIAS))

The categories of governance information that we process include:

- personal identifiers, contacts and characteristics (such as name, date of birth, contact details and address)
- governance details (such as role, start and end dates and governor id)

Why we collect and use governance information

The personal data collected is essential, in order for the school, academy or academy trust to fulfil their official functions and meet legal requirements. We collect and use governor information, for the following purposes:

- a) To meet the statutory duties placed upon us
- b) Enable the development of a comprehensive picture of governance and how it is deployed
- c) To enable appropriate checks to be completed
- d) Enable individuals to be kept informed of governance training, book training and relevant information
- e) To inform relevant authorities/organisations of a member/trustee/governor/clerk appointment
- f) To undertake our responsibilities for safeguarding children
- g) To communicate with you
- h) To comply with the law regarding data sharing

The lawful basis on which we use this information

We will only use your information when the law allows us to. Most commonly, we will use your information in the following circumstances:

- Consent: the individual has given clear consent to process their personal data for a specific purpose;
- Contract: the processing is necessary for a contract with the individual;
- Legal obligation: the processing is necessary to comply with the law (not including contractual obligations);
- Vital interests: the processing is necessary to protect someone's life;
- Public task: the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law; and

We need all the categories of information in the list above primarily to allow us to comply with legal obligations. Please note that we may process information without knowledge or consent, where this is required or permitted by law.

Our Legal Obligations

We must make sure that information we collect and use about governors is in line with the UK General Data Protection Regulation (GDPR) 2018 and Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share that with another organisation or individual, we must have a legal basis to do so.

The lawful basis for schools to collect information comes from a variety of sources, such as:

- Article 6 and Article 9 of the UK GDPR
- under the Academies Trust Handbook academy trusts have a legal duty to provide governance information (academies)
- under the Companies Act 2006 academy trusts have a legal duty to provide information on members and directors to Companies House

Collecting governance information

We collect personal information via application forms.

Governance roles data is essential for the school or academy trust'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 UK 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 governance information

We hold data securely for the set amount of time shown in our data retention schedule.

Who we share governance information with

We routinely share this information with:

- our local authority (where applicable)
- the Department for Education (DfE)
- other governors on the same governing board
- Disclosure & Barring Service
- the Governance Manager and Governance Officer
- Governor Services
- Companies House
- Ofsted;
- other government departments or agencies.

Why we share governance information

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

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:

We are required to share information about our governance roles with the Department for Education (DfE) under the requirements set out in the Academy Trust Handbook.

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

The Clerk to the Board/Governance Team

In case of emergency or an Ofsted inspection it is necessary for the school office to hold details of any individuals involved in the governance of the school. The school Single Central Record will record that appropriate checks have been carried out for everyone involved in the governance of the school.

Other Members/Trustees/Academy Committee Representatives on the same Governing Board (or in the same MAT)

For ease of communication and with your consent contact details may be shared with other governors on the board.

Disclosure and Barring Service

All Members/Trustees/Academy Committee Representatives are required to have an enhanced criminal records certificate from the DBS. Further details on DBS checks and Section 128 checks in schools are within the statutory guidance Keeping Children Safe in Education (KCSIE).

Companies House

Academy trusts are required to tell Companies House within 14 days about changes to the Board including new appointments, resignations and change of details.

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, please email gdpr@secat.co.uk

You also have the right to:

- ask us for access to information about you that we hold
- have your personal data rectified if it is inaccurate or incomplete
- request the deletion or removal of personal data where there is no compelling reason for its continued processing
- restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you want to exercise any of the above rights, please email gdpr@secat.co.uk

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office (ICO) at <https://ico.org.uk/concerns/>.

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

Withdrawal of consent and the right to lodge a complaint

In circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please email gdpr@secat.co.uk

Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Contact us

If you would like to discuss anything within this privacy notice or have a concern about the way we are collecting or using your personal data, we request that you email gdpr@secat.co.uk in the first instance to raise your concerns.

We have appointed a Data Protection Officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by emailing our internal Data Protection Lead at gdpr@secat.co.uk then you can contact the DPO on the details below:

Data Protection Officer (DPO)

Details: SBM Services
01206 671103

Email: info@sbmservices.co.uk

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues at <https://ico.org.uk/concerns>.

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, 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 a small number of Department for Education (DfE) and education establishment users with a Department for Education (DfE) Sign-in (DSI) 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>.