Gomersal St Mary's CE Primary School

Privacy Notice for School Governors

Under UK data protection law, individuals have a right to be informed about how the school uses any personal data. The school complies with these requirements by providing privacy notices to inform individuals about how their personal data will be processed.

This privacy notice explains how the school collects, stores, uses and deletes personal data about our Governors. This document is based on a variety of sources and has been tailored to the specific needs of the school.

1 What this Privacy Notice is for

Gomersal St Mary's CE Primary School collect, hold, use and share information about our Governors. This is known as “personal data” and you have rights around that data, including knowing how and why we are processing the data. “Processing” data means collecting, storing, using or disposing of it.

For the purposes of Data Protection legislation Gomersal St Mary's CE Primary School is a data controller and is registered as such with the Information Commissioner’s Office (ZA189996). This means the school determines the purposes for which, and the manner in which, any personal data relating to the school’s governors is to be processed.

In some cases, personal data processing will be outsourced to a third-party; however, this will only be done with your consent, unless the law or our policies allow the school to share your data. Where the school outsources data to a third-party processor, the same data protection standards that the school upholds are imposed on the processor.

2 The types of governors’ information that we process

The types of governors’ information that the school collects, holds and shares include but are not restricted to the following:

- personal information (such as name and address).
- governance details (such as role, start and end dates).
- use of school devices and school networks as part of our safeguarding procedures.

2.1 Special category data (sensitive information)

Some of the information that we collect is more sensitive or can be classified as special category data, this may include:

- characteristics information (such as gender and ethnic group).
- photographic records and CCTV footage.
- information about medical or health conditions, that we need to know about, including whether you have a disability for which the school needs to make reasonable adjustments.

We may also collect, use and store information about criminal convictions, offences and prohibitions. This information may have come from other organisations including former employers, Teacher Regulation Agency, social services and the Disclosure & Barring Service.

3 Why does the school collect and use your information?

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

- to meet the statutory duties placed upon us.
- facilitate safer recruitment (e.g. by carrying out criminal records checks).
- to help us to deliver our responsibilities to our school community.
- to communicate with our Governing body.
- to inform the school community of the identity of the individuals who comprise the Governing body.

- photographic images for identification purposes (safeguarding and identifying Governors to our parents and pupils), and celebration purposes (to record school events).
- for site safety and security.

3.1 The lawful basis for collection and use of personal data

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing governors' information are:

- Article 6(a) - Your consent (for anything which does not fall into the purposes explained below).
- Article 6(c) - Compliance with our legal obligations, in particular, but not exclusively:
    - Section 538 of the Education Act 1996.
    - Keeping Children Safe in Education 2023 (statutory guidance from the Department for Education issued under Section 175 of the Education Act 2002 etc).
    - Equality and Health & Safety legislation.
- Article 6(e) - Being necessary for us to carry out tasks that are in the Public Interest.

The ways we collect and use sensitive governors' information are lawful based on:

- your explicit consent.
- for compliance with certain legal obligations, or for exercising certain legal rights.
- for protecting a person's vital interests in an emergency.
- for health and public health reasons.
- or for carrying out tasks that are in the substantial public interest including for safeguarding purposes.

3.2 Marketing purposes

Where you give us consent, we may send you marketing information by message or email, such as for promoting school events, campaigns or charities. Consent can be withdrawn at any time by contacting us.

3.3 Automated decision making & profiling

We do not use any of your personal information to make automated decisions about you, or to profile you If this changes in the future, privacy notices will be updated to explain both the processing and your right to object to it.

4 How we collect governors' information

We collect personal information in a variety of ways. For example, data is collected through application forms, obtained from your passport or other identity documents such as your driving licence, from forms completed by you at the start of or during your term as a Governor, from correspondence with you, or through interviews, meetings or other assessments, images provided by you or taken using school photographic equipment, local authorities, the NHS, the Police, the Disclosure and Barring Service and the Department for Education.

Governors' 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. 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.

5 How, where and for how long we store governors' information

We store governors' information securely on the School's IT network and cloud. Secure storage is provided for paper-based records.

We only keep the information for the length of time we need it for, as shown in our records management policy

We dispose of personal information securely when we no longer need it.

6 Sharing governors' information

We routinely share governors' information with:

- our Local Authority.
- the Department for Education (DfE).
- the Disclosure and Barring Service.
- our school community.
- external systems used by the School to carry out day-to-day processes and requirements. For example, but not limited to, Arbor Education (Schools MIS system and parental portal).
- International Transfers

Your personal information may be transferred outside the UK and the European Economic Area ('EEA'), including to the United States. Where information is transferred outside the UK or EEA to a country that is not designated as "adequate" in relation to data protection law, the information is adequately protected by the use of International Data Transfer Agreements and security measures, and other appropriate safeguards.

6.1 Freedom of Information Act and Environmental Information Regulations 2004

As a public body, our school is subject to requests made under the above legislation. However, we will never disclose personal data in our responses to these requests where to do so would contravene the principles of data protection.

6.2 Why we share governors' information

We share information about our governors when the law and our policies allow us to do so.

6.3 Department for Education

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 DfE, under section 538 of the Education Act 1996.

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

To find out more about the data collection requirements placed on us by the Government and the Department for Education including the data that we share with them, go to

https://www.gov.uk/government/news/national-database-of-governor

The governance data that we lawfully share with the DfE via GIAS

https://get-information-schools.service.gov.uk/

- will increase the transparency of governance arrangements.
- will enable maintained schools and academy trusts and the department to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context.
- allows the department 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.

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 law allows it.

6.4 Local Authority

Where we are required to share information about school governance with our Local Authority we do so under the terms of a Data Sharing Agreement.

7 Requesting access to personal data and other rights

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 our Data Protection Officer via the school office.

You also have the right to:

- be informed about the collection and use of your personal data.
- have inaccurate personal data changed if it is inaccurate or completed if it is incomplete.
- Ask us to delete your personal information, often known as the 'right to be forgotten'; however, this does not apply where, amongst other things, processing is necessary to comply with a legal obligation.
- restrict the way we are using your information, although, as above this is a limited right.
- object to the way we are using your information; though other than for marketing purposes, this is also limited as above.
- Where we rely on your consent to collect and use your data, you have the right to withdraw that consent. If you do change your mind, or you are unhappy with our use of your personal data, please let us know.
- You also have rights in relation to automated decision making and profiling, though these are not currently relevant as we do not carry out automated decision making or profiling.
- Finally, the right to complain about the way we use your personal information to the ICO, or to seek redress through the courts.

If you would like to request access to your data, or use any of the other rights listed above, please contact our Data Protection Officer via the school office.

8 Complaints

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us.
Any complaints received should receive a formal acknowledgement within 30 days and a response without undue delay. If you are not happy with our response, then you can raise a complaint with the Information Commissioner's Office, details of how to do this can be found here https://ico.org.uk/make-a-complaint/data-protection-complaints/

9 Contact us

If you have any questions or concerns or would like more information about anything mentioned in this privacy notice, please contact the school office or our Data Protection Officer.

- Call 01274 874550
- Email office@gsmcep.co.uk

Our Data Protection Officer is Data Tools for Schools Limited and they may be contacted via the school office.

To contact the DfE:

- Call 0370 0002288
- Visit https://www.gov.uk/contact-dfe