9. Privacy Notice – School Governors

Morley Primary School

Version 1.0

Last Reviewed	**October 2023**
Reviewed By (Name)	**Tony Taylor** **Jim Campbell**
Job Role	**Headmaster** **Chair of Governors**
Next Review Date	**October 2024**
Version produced Spring 2023	Minor amends indicated in green text.

This document will be reviewed annually and sooner when significant changes are made to the law

Guidance from the Department for Education about school policies can be found here: https://www.gov.uk/government/publications/statutory-policies-for-schools-and-academy-trusts/statutory-policies-for-schools-and-academy-trusts

Contents

10.1 Privacy Notice (How we use information) 3
10.2 The categories of governors' information that we process include 3
10.3 Why we collect and use governors' information. 3
10.3.1 Marketing Purposes 4
10.3.2 Automated decision making & profiling 4
10.4 How we collect governors' information 4
10.5 How and for how long we store governors' information 4
10.6 Who we share governors' information with 4
10.7 Why we share governors' information 5
10.8 Local Authority 5
10.9 Department for Education 5
10.10 Freedom of Information Act and Environmental Information Regulations 2004 5
10.11 Requesting access to your personal data 5
10.12 How Government uses your data 6
10.13 Sharing by the Department of Education 6
10.14 Contact 6
10.15 Last updated 7

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10.1 Privacy Notice (How we use information)

Morley Primary School will collect, hold, use and share information about our workforce. 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 from collecting, storing, using, sharing and disposing of it. We collect, hold and share personal information on the School Governors.

For the purposes of Data Protection legislation, Morley Primary School, is a data controller and is registered as such with the Information Commissioner's Office.

10.2 The categories of governors' information that we process include

- Personal identifiers, contacts and characteristics (such as name, date of birth, contact details, address and photograph)
- Governance details (such as role, start and end dates)
- 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*
- checks made regarding online presence including social media searches

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.

10.3 Why we collect and use governors' 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
b) facilitate safer recruitment (e.g. by carrying out criminal records checks)
c) to help us to deliver our responsibilities to our school community
d) to communicate with our Governing body
e) to inform the school community of the identity of the individuals who comprise the Governing body
f) photographic images for identification purposes (safeguarding and identifying Governors to our parents and pupils), and celebration purposes (to record school events)

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

- Article 6(a) – Your consent (for any processing which does not fall into the other bases explained below
- Article 6(c) - Compliance and with our legal obligations
- Article 6(e) – Carrying out tasks in the Public Interest.

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

Keeping Children Safe in Education 2022 (statutory guidance from the Department for Education issued under Section 175 of the Education Act 2002 etc).

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The ways we collect and use *sensitive* information about governors 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. Please refer to our Special Category Data Policy document for full details of these lawful bases for processing this data. Types of data that are special category are indicated above by *.

10.3.1 Marketing Purposes

Where you have given us consent to do so, we may send you marketing information by text message or email promoting school events, campaigns and or charities. You can withdraw this consent at any time by contacting us (see the Contacts section).

10.3.2 Automated decision making & profiling

We do not currently process any personal data through automated decision making or profiling. Should this change in the future, privacy notices will be updated to explain both the processing and your right to object to it.

10.4 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. 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.

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

We store Governor information securely on the School's IT cloud network. 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 data retention schedule. For more information on our data retention, please visit: on the GDPR page of the school website.

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

10.6 Who we share governors' information with

We routinely share this information with:

- Our Local Authority

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- The Department for Education
- Our Governing Body
- The Disclosure and Barring Service
- Our school community (via the school website)

10.7 Why we share governors' information

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

10.8 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 viewable at https://schoolsnet.derbyshire.gov.uk/administration-services-and-support/information-governance/information-sharing.aspx

10.9 Department for Education

We share personal data with the Department for Education (DfE) on a statutory basis. We are required to share information about our governors with the Department for Education (DfE) under Section 538 of the Education Act 1996.

10.10 Freedom of Information Act and Environmental Information Regulations 2004

As a public body, our school is subject to requests made under the above legislation. Therefore, we have a legal obligation to process any personal data we hold when considering requests under these laws.

For example, we may receive a request asking about numbers and/or roles of governors.

However, we will never disclose personal data in our responses to these requests where to do so would contravene the principles of data protection.

10.11 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 School Office, the Headteacher or the Data Protection Officer.

You also have the right to:

- be informed about the collection and use of your personal data.
- rectification, ie to have inaccurate personal data rectified, or completed if it is incomplete.
- erasure, 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 processing, although, as above this is a limited right.
- object; though other than for marketing purposes, this is also limited as above.

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- Where we rely on your consent to process your data, you have the right to revoke that consent. If you do change your mind, or you are unhappy with our use of your personal data, please let us know – our contacts are in section 2.14 at the end of this document.
- You also have rights in relation to automated decision making and profiling, though these are not currently relevant
- Finally, the right to seek redress, either through the ICO, or through the courts

10.12 How Government uses your data

The governance data that we lawfully share with the DfE via Get Information About Schools (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.

10.13 Sharing by the Department of 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 Department for Education (DfE), under:

We are required to share information about our governors 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.

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 www.gov.uk/government/news/national-database-of-governors.

10.14 Contact

If you have any concern about the way we are collecting or using your personal data, would like to exercise your rights, or you would like to discuss anything in this privacy notice, we ask that you raise your concern with us in the first instance.

Please contact the School Office, Headteacher or School Data Protection Officer:

Data Protection Officer Name: Education Data Hub (GDPR for Schools), Derbyshire County Council

DPO Email: gdprforschools@derbyshire.gov.uk

DPO Phone: 01629 532888

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DPO Address: County Hall, Smedley Street, Matlock, Derbyshire, DE4 3AG

For Derbyshire County Council:
Information Governance Officer
Children's Services Department, Derbyshire County Council
County Hall
Matlock
Derbyshire
DE4 3AG
Email: cs.dpandfoi@derbyshire.gov.uk
Telephone: 01629 536906
Replace with own LA details if not in Derbyshire and sharing Gov details with your LA

For DfE:
Public Communications Unit,
Department for Education,
Sanctuary Buildings,
Great Smith Street,
London, SW1P 3BT
Website: www.education.gov.uk
https://www.gov.uk/contact-dfe
Email: http://www.education.gov.uk
Telephone: 0370 000 2288

If however you are dissatisfied with our response to your concerns you can of course contact the ICO quoting our ICO registration number ZB561247 and stating that the Data Controller is Morley Primary School

Information Commissioners' Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number
Fax: 01625 524 510
Website: https://ico.org.uk/concerns/

10.15 Last updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated in October 2023

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