



## PRIVACY NOTICE FOR GOVERNORS AND TRUSTEES

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### Introduction

Under data protection law, individuals have a right to be informed about how an educational facility uses any personal data that is held about them. Schools must comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals when processing their personal data.

This document is intended to inform a trustee/school governor how their personal information will be held and how it will be used.

### Privacy Notice

This privacy notice explains how Castleman Academy Trust and its schools collect, store and use personal data about individuals working in the Trust's schools in a voluntary capacity, including governors and trustees. If it, or any information linked to it is unclear, please contact the school office, or the school's Data Protection Officer, [info@handsam.co.uk](mailto:info@handsam.co.uk).

### Categories of Information

The categories of information that we collect, hold and share include, but are not limited to:-

- Personal information (such as name, address);
- Contact details and preference (contact telephone numbers, email addresses, addresses);
- Details of your qualifications, skills and experience for skills audit purposes;
- References;
- Details of your bank account and national insurance number in the case of any reimbursement of expenses;
- Information about your criminal record;
- Details of your appointment, including the appointing body, the date of appointment and term of office;
- Training you have attended in your role as a governor/trustee;
- Any roles or leadership responsibilities you hold within the School Standards Board/Trust Board;
- Your business or other charitable interests;
- Equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief, where this has been provided;



BROADSTONE  
FIRST SCHOOL



BROADSTONE  
MIDDLE SCHOOL



Ferndown  
Middle School



- Photographs (for internal safeguarding and security purposes, school newsletters, media and promotional purposes); and
- CCTV images for security purposes.

We may also collect, use, store and share (when appropriate) information about you that falls into “special categories” of more sensitive personal data. This includes, but is not restricted to:

- Information about any health conditions you have that we need to be aware of;
- Information about disability and access requirements.

We may also hold personal data about you from third parties, such as information supplied by the appointing body and from the Disclosure and Barring Service, to comply with our legal obligations and statutory guidance.

### **Purpose of Collection of Information**

The purpose of collecting and processing this data is to:

- Enable you to serve as a governor/trustee;
- Enable us to comply with our statutory safeguarding obligations;
- Ensure we comply with our Articles of Association and Terms of Reference;
- Support effective governor/trustee development;
- Support effective management of the school;
- Fulfil statutory reporting to the Department for Education;
- Complete equalities monitoring and reporting;
- Respond to any governance issues;
- Improve the management of workforce data across the sector;
- Support the work of the school teachers’ review body;
- Assess the quality of our services; and
- Comply with the law regarding data sharing.

### **Lawful Basis**

Our lawful basis for collecting and processing your information is defined under Article 6, and the following sub-paragraphs in the GDPR apply:

- (c) Processing is necessary to comply with the legal obligations of the controller.
- (e) Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education).

Our lawful basis for collecting and processing your information is also further defined under Article 9, in that some of the information we process is deemed to be sensitive, or special, information and the following sub-paragraphs in the GDPR apply:

- The data subject has given explicit consent.
- It is necessary to fulfil the obligations of controller or of data subject.
- Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions).
- It is in the public interest.

### **Collecting the Governor/Trustee Information**

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain information to us or if you have a choice in this. Where we have obtained consent to use your personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.

## **Storing Your Data**

Any information about a governor/trustee is kept secure and is only used for purposes directly relevant to your term as a governor/trustee at the school/Trust. Once your term(s) of office with us has ended, we will retain this file and delete the information in it in accordance with our Retention Policy.

Please refer to our Records Management Policy on the Trust website.

We have data protection policies and procedures in place, including strong organisational and technical measures, which are regularly reviewed.

## **Who We Share Information With**

We routinely share information with appropriate third parties, including:

- The Department for Education – to meet our legal obligations to share certain information with it;
- Companies House for Trustees only;
- Ofsted;
- Our auditors, to ensure our compliance with our legal obligations;
- Professional advisers and consultants – for us to develop our service to best provide our public service;
- The Local Authority;
- Suppliers and service providers such as the National Governors Association and The Key for School Governors;
- Police forces, courts, tribunals.

Where we transfer personal data to a country or territory outside the UK, we will do so in accordance with data protection law.

## **Why We Share Your Information**

We do not share information about you with anyone without consent unless the law and our policies allow us to do so. We share personal data with the Department for Education (DfE) on a statutory basis. Under s.538 of the Education Act 1996, and the Academies Financial Handbook, the Secretary of State requires boards to provide certain details they hold about people involved in governance, as volunteered by individuals, and the information kept up to date.

## **Data Collection Requirements**

The DfE collects and processes personal data relating to those governing schools (including Single and Multi-Academy Trusts) and all schools are required to ensure they keep their governors'/trustees' details up to date under s.538 of the Education Act 1996 and the Academies Financial Handbook.

To find out more about the data collection requirements placed on us by the Department for Education, including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censusesfor-schools>.

For more information about the department's data sharing press, please visit <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>.

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

## **Requesting Access to Your Personal Data and Your Data Protection Rights**

Under data protection legislation, governors/trustees have the right to request access to information about them that we hold, through a Subject Access Request.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it;
- Tell you why we are holding and processing it, and how long we will keep it for;

- Explain where we got it from, if not from you or your child;
- Tell you who it has been, or will be, shared with;
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this; and
- Give you a copy of the information in an intelligible form.

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact the Head Teacher/Head of School in writing. This request will then be actioned by the Clerk to Governors with the Data Protection Officer, who will comply within 30 days.

You also have the right to:

- Object to processing of personal data that is likely to cause, or is causing, damage or distress (however, this will not apply if the data is part of a legal requirement);
- 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.

### **Concerns**

We take any concerns 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 in the first instance.

To raise a concern, please our Data Protection Officer in the first instance via email at [info@handsam.co.uk](mailto:info@handsam.co.uk). Alternatively, or failing a satisfactory conclusion, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### **Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer, Handsam Limited at [info@handsam.co.uk](mailto:info@handsam.co.uk).

### **References and Resources**

[Education Act 2002](#)

[Health and Safety \(Consultation with Employees\) Regulations 1996](#)

[Health and Safety at Work etc. Act 1974](#)

[Management of Health and Safety at Work Regulations 1999](#)

[Safety Representatives and Safety Committee Regulations 1977](#)

[School Governance \(Constitution and Federations\) \(England\) \(Amendment\) Regulations 2016](#)

[Competency Framework for Governance](#)

[Academies Financial Handbook](#)

[Governance Handbook](#)

[Keeping Children Safe in Education](#)

[Working Together to Safeguard Children](#)