

Privacy Notice – Members, Trustees and School Governors

Policy Ref:	HR 008D
Purpose	
Committees	Trust Finance Business and Audit Committee
Other linked policies	Data Protection Framework and associated documents
Issue date:	June 2024
Review Date	August 2025

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>

Privacy Notice (How we use workforce information)

- Victorious Academies Trust and our schools** collect, 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 Members, Trustees and School Governors.
- For the purposes of Data Protection legislation **Victorious Academies Trust** is a data controller and is registered as such with the Information Commissioner’s Office.

Categories of Members, Trustees and School Governors’ information

- The categories of Members, Trustees and School Governors’ information that we process include:
 - Personal identifiers, contacts and characteristics (such as name, date of birth, contact details, address and photograph)
 - Members, Trustees and School Governors’ 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
 - use of school devices and school networks as part of our safeguarding procedures
- 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.

Why we collect and use Members, Trustees and School 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 Members, Trustees and School Governors’ information, for the following purposes:
 - 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 Members, Trustees and School Governors
 - to inform the school community of the identity of the individuals who comprise the Members, Trustees and School Governors
 - photographic images for identification purposes (safeguarding and identifying Members, Trustees and School 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:

- a) Article 6(a) – Your consent (for any processing which does not fall into the other bases explained below)
 - b) Article 6(c) - Compliance and with our legal obligations
 - c) Article 6(e) – Carrying out tasks in the Public Interest.
8. 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.
9. Keeping Children Safe in Education 2022 (statutory guidance from the Department for Education issued under Section 175 of the Education Act 2002 etc).
10. The ways we collect and use sensitive information about Members, Trustees and School 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 *.

Marketing Purposes

11. 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).

Automated decision making and profiling

12. 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.

How we collect Members, Trustees and School Governors' information

13. 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.
14. Members, Trustees and School 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.

How, where and for how long we store Members, Trustees and School Governors' information

15. We store Governor information securely on SharePoint and on each school's IT network. Secure storage is provided for paper-based records.
16. 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 <https://www.victoriousacademies.org/key-information/ukgdpr/>
17. We dispose of personal information securely when we no longer need it.

Who we share Members, Trustees and School Governors' information with

18. We routinely share this information with: (delete or add to as appropriate – including if using Governor applications such as GovHub etc)
- a) Our Local Authority
 - b) The Department for Education (inc. Teaching Regulation Agency)
 - c) Our Governing Body
 - d) The Disclosure and Barring Service
 - e) Our Trust and school community (via the Trust and school websites)
 - f) The central team in our Trust

Why we share Members, Trustees and School Governors' information

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

Local Authority

19. Where we are required to share information about Members, Trustees and School Governors with our local authorities 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>

Department for Education

20. We share personal data with the Department for Education (DfE) on a statutory basis. We are required to share information about our Members, Trustees and School Governors with the Department for Education (DfE) under Section 538 of the Education Act 1996.

Freedom of Information Act 2000 and Environmental Information Regulations 2004

21. 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.
22. For example, we may receive a request asking about numbers and/or roles of Members, Trustees and School Governors.
23. However, we will never disclose personal data in our responses to these requests where to do so would contravene the principles of data protection.

Requesting access to your personal data

24. 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.
25. You also have the right to:
- a) be informed about the collection and use of your personal data.
 - b) rectification, ie to have inaccurate personal data rectified, or completed if it is incomplete.
 - c) 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.
 - d) restrict processing, although, as above this is a limited right.
 - e) object; though other than for marketing purposes, this is also limited as above.
 - f) 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.

- g) You also have rights in relation to automated decision making and profiling, though these are not currently relevant
 - h) Finally, the right to seek redress, either through the ICO, or through the courts
26. If you make a request, we will keep a record of the request and any personal data supplied for a suitable period after its fulfilment, in order to deal with any questions, you, your representatives or regulators may have about it.

How Government uses your data

27. The Members, Trustees and School Governors data that we lawfully share with the DfE via Get Information About Schools (<https://get-information-schools.service.gov.uk/>):
- a) will increase the transparency of Members, Trustees and School Governors arrangements
 - b) will enable maintained schools and academy trusts and the department to identify more quickly and accurately individuals who are Members, Trustees and School Governors and who govern in more than one context
 - c) 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.
28. 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.

Sharing by the Department of Education

29. The Department for Education (DfE) collects personal data from educational settings and local authorities. We are required to share information about individuals in Members, Trustees and School Governors roles with the Department for Education (DfE), under:
30. We are required to share information about our Members, Trustees and School Governors roles with the (DfE) under the requirements set out in the Academies Financial Handbook
31. 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.
32. 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.

Contacts

33. If you have a concern about the way we are collecting or using your personal data or you would like to discuss anything in this privacy notice, we ask that you raise your concern with us in the first instance.
34. Please contact the School Office, Headteacher / Principal or School Data Protection Officer: Data Protection Officer: Education Data Hub (Data Protection),
Derbyshire County Council DPO Email: dpforschools@derbyshire.gov.uk
DPO Phone: 01629 532888
DPO Address: County Hall, Smedley Street, Matlock, Derbyshire, DE4 3AG
35. 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

36. 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

37. If, however you are dissatisfied with our response to your concerns you can of course contact the ICO quoting our ICO registration number **ZA116828** and stating that the Data Controller is **Victorious Academies Trust**.

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/>

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time, **at least annually by Trustees**.

End