

## Privacy Notice: how we use personal information in respect of governors

Date: August 2023

### The categories of governance information that we process include:

- personal identifiers, contacts and characteristics (such as name, date of birth, address and contact details, emergency contact)
- DBS disclosure record to include DBS number
- governance details (such as role, start and end dates)

### 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 governance information, for the following purposes:

- a) to meet the statutory duties placed upon us
- b) ensure that all correspondence in relation to meetings and governor duties are provided in accordance the Governance Framework.

Under the [UK General Data Protection Regulation \(GDPR\) 2018](#), the legal bases we rely on for processing personal information for general purposes are:

Article 6 (1) (c). processing is necessary for compliance with a legal obligation to which the controller is subject." and 6 (1) (e) - **processing is necessary for the performance of a task carried out in the public interest** or in the exercise of official authority vested in the controller.

All local authority maintained school governing bodies, under [section 538 of the Education Act 1996](#) and academy trusts, under the [Academies Financial Handbook academy trust handbook](#) have a legal duty to provide the governance information as detailed above.

In addition, concerning any special category data we rely on

Article 9 (2) (a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, and 9 (2) (c) To protect the vital interests of the individual.

### Collecting governance information

We collect personal information via governor contact forms and data verification exercises undertaken periodically.

Governance roles data is essential for the school, academy 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. For more information on our data retention schedule and how we keep your data safe, please visit the school, academy or trust's Data Map, also referred to as the Record of Processing Activity (RoPA) and the Information and Records Management Society Toolkit

for schools [IRMS Schools Toolkit - Information and Records Management Society](#)

for academies [IRMS Academies Toolkit - Information and Records Management Society](#) .

## **Who we share governance information with**

We routinely share this information with:

- our Local Authority (LA)
- the Department for Education (DfE)
- Diocese and foundation trusts

## **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.

### **Local Authority (maintained schools)**

We are required to share information about our governance roles with our LA for governance administration purposes and training.

### **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 [section 538 of the Education Act 1996](#)

We are required to share information about individuals in governance roles with the Department for Education (DfE) under the requirements set out in the [Academies Financial Handbook academy trust handbook](#)

All data is entered manually on the GIAS service and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current [government security policy framework](#).

For more information, please see the '[How Government uses your data](#)' section.

## **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 David Roundtree, Head of Federation or the Data Protection Officer.

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 be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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 [Information Commissioner's Office](#).

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

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the Head of Federation on [headoffederation@spherefederation.org](mailto:headoffederation@spherefederation.org).

## 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 August 2023.

## Contact

If you would like to discuss anything in this privacy notice, please contact: **Richard Lewis-Ogden, Data Protection Officer** on [DPO@bywaterkent.co.uk](mailto:DPO@bywaterkent.co.uk)

## 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 schools, 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 authorised 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>