



<b>Last reviewed on:</b>	10/12/2020
<b>Next review due by:</b>	09/12/2021

### **Privacy Notice for Governors**

Sheffield South East Trust is the data controller for Trustee information.

#### **The categories of Governor information that we process include:**

- Personal information and characteristics e.g. name, date of birth, image, occupation, nationality
- Contact details e.g. address, telephone number, email address
- Governance details e.g. role on the Trust Board, term of office, pecuniary interests and any training undertaken
- Attendance information e.g. meetings attended and any apologies received.
- Details of pre-appointment checks e.g. Section 128, DBS clearance
- CCTV footage

Please note this list is not exhaustive, however, all categories of information stored within school are stored in our data asset register.

#### **Why we collect and use Trustee information**

The personal data collected is essential, in order for the school to fulfil its official functions and meet legal requirements.

We collect and use Trustee information, for the following purposes:

- a) to meet the statutory duties placed upon us
- b) provide a comprehensive picture of the Trust Board, its management and development
- c) to satisfy requirements of the Single Central Record

Sheffield South East Trust collects and uses Trustee information under the following articles of the General Data Protection Regulation (GDPR).

#### **Article 6:**

Processing shall be lawful only if and to the extent that at least one of the following applies:

6 (1) a. The data subject has given consent to the processing of his or her personal data for one or more specific purposes;

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.

#### **Article 9:**



With regards to the processing of special category personal data e.g. racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health and sex life or sexual orientation shall be prohibited except:

9 (2) a. Where we have explicit consent of the data subject.

Under the GDPR, consent is defined as: “any freely given, specific, informed and unambiguous indication of the data subject’s wishes by which he or she, by a statement or by a clear affirmative actions, signifies agreement to the processing of personal data relating to him or her.”

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

### **Collecting Trustee information**

Trustee 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 the 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 Trustee information**

We hold data securely for the length of time indicated by records retention guidance. Trustee personal information files will be kept for 6 years after termination of their service.

### **Who we share Trustee information with**

We routinely share Trustee information with:

- the Department for Education (DfE)
- Companies House
- The Trust’s accountants

### **Why we share Trustee information**

We do not share information about our Trustees with anyone without consent unless the law and our policies allow us to do so. We are required, by law, to pass on some Trustee personal data.

We share personal data with our accountants to fulfil our statutory auditing requirements and to fulfil our internal auditing procedures.

We share personal data with Companies House on a statutory basis to fulfil legal requirements.

### **Department for Education**

The Department for Education (DfE) collects personal data from educational settings and local authorities.



We are required to share information about our Trustees with the Department for Education (DfE), under the requirements set out in the Academies Financial Handbook

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.

For more information, please see '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. This is called a 'Subject Access Request (SAR)'. To make a request for your personal information, please contact the Data Protection Officer.

Under certain circumstances you also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- 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
- a right to seek redress, either through the ICO, or through the courts

Upon receipt of a Subject Access Request, Sheffield South East Trust will:

- respond to acknowledge receipt of your request;
- request proof of identity of the person making the request;
- inform you as to whether there are any statutory reasons why we may be unable to respond to your request;
- act in accordance with the GDPR in terms of our actions in response to your request, and with due regard to the timescales set out in the GDPR.

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

### **Contact**

If you would like to discuss anything in this privacy notice, please contact the Data Protection Officer.

### **How Government uses your data**

The Trustee data that we lawfully share with the DfE via Get Information About Schools (GIAS):

- will increase the transparency of governance arrangements
- will enable schools 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

### **Data collection requirements**

To find out more about the requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/government/news/national-database-of-governors>

**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 the law allows it.