

Privacy Notice

(How we use governance information)



Policy Review Schedule

Policy	OLT Privacy Notice (Governors)
Review schedule	Every 2 years (or when legislative change takes place)
Statutory Policy	Yes
Policy owner	COO
Lead Reviewer	COO (external review needed if change in legislation)
Approver and date of last approval	CEO 23/09/2024
Key review dates	Changes made
September 2022	Written
September 2024	Section on automated decision making and profiling added. Section on filtering and monitoring added.
Next review September 2026	

Why do we collect and use governors' information? (Lawful basis for processing)

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

Under Article 6(1)(e) of the UK GDPR Regulations 2020¹ which states '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' and Article 9(2)(g) 'The processing is necessary for reasons of substantial public interest, and occurs on the basis of a law that is, inter alia, proportionate to the aim pursued and protects the rights of data subjects'.

The categories of governance information that we collect, hold and share include:

- Personal identifiers, contacts and characteristics (such as name, date of birth, contact details and postcode)
- Governance details (such as role, start and end dates and governor ID)
- Qualifications
- Register of interests
- Contact details
- References
- Evidence of qualifications
- Employment details
- Information about business and pecuniary interests

Collecting governance information

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

¹ UK General Data Protection Regulation (UK GDPR) – the EU GDPR was incorporated into UK legislation, with some amendments, by the Data Protection, Privacy and Electronic Communications (Amendments etc.) (EU Exit) Regulations 2020.

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

- Establish and maintain effective governance
- Meet statutory obligations for publishing and sharing governor's details
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils

All Academy Trusts under the Academies Financial Handbook have a legal duty to provide governance information as detailed above.

Governance roles data is essential for the school/Trust's operational use. 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 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.

Automated decision making and profiling

We do not currently process any governors' or other volunteers' personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing, including the right to object.

Use of personal data for filtering and monitoring purposes

Schools may monitor Governor's use of information and communications systems, equipment and facilities when Governors are on school premises. This is so that all visitors:

- Comply with health and safety and other legal obligations.
- Comply with all relevant policies (including Child Protection ICT/Acceptable Use) and all legal obligations.
- Keep networks and devices safe from unauthorised access, and prevent malicious software from harming IT networks.

Storing data

We hold data securely for the period of time as set out by the IRMS data retention guidance. A copy of which can be found on the Trust website www.omnialearningtrust.org.

Who do we share governance information with?

We routinely share information with:

- Our local authority (where applicable)
- The Department for Education (DfE)

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.

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 Trust Handbook.

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 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.

Data collection requirements:

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 current government security policy framework.

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.

Requesting access to your personal data – held by the school/Trust

Under data protection legislation, governors have the right to request access to information about them that we hold. To make a request for your personal information contact Bethan Gorsuch, Data Protection Officer. We respectfully request that you request information during term time to give the academy the best opportunity to comply with your request within one calendar month although you are under no legal obligation to do so.

You also have the right to:

- To ask us for access to information about you that we hold.
- To have your personal data rectified, if it is inaccurate or incomplete.
- To request the deletion or removal of personal data where there is no compelling reason for its continued processing.
- To restrict our processing of your personal data (i.e. permitting its storage but no further processing).
- To object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics.
- Not to 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 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 at <https://ico.org.uk/concerns/>

Requesting access to your personal data – held by the DfE

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'. 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 the Department for Education (DfE): <https://www.gov.uk/contact-dfe>

Withdrawal of consent

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or are unhappy with our use of your personal data, please let us know by contacting Bethan Gorsuch (Data Protection Officer).

Contact:

If you would like to discuss anything in this privacy notice, please contact:

- Beth Gorsuch, Data Protection Officer, admin@omnialearningtrust.org