

Privacy Notice for Members, Trustees and Local Advisors

(How we use personal information on 'Get Information about Schools' (GIAS))

Under GDPR, individuals have a right to be informed about how the organisation uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data. This privacy notice explains how we collect, store and use personal data about individuals in governance roles at our school.

We, the South Westmorland Multi Academy Trust, Dallam School, Milnthorpe, Cumbria, LA7 7DD are the 'data controller' for the purposes of data protection law.

The personal data we hold

We process data relating to those in governance roles at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- 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)
- Photographs
- Data about your use of the school's information and communications system

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes (where applicable):

- CCTV footage
- Criminal record history (enhanced DBS clearance)

Why we collect and use governance 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 governance information to:

- Meet the statutory duties placed upon us
- Comply with statutory requirements (such as DBS clearances, workforce census data)
- Monitor attendance at meetings
- For personal and workplace security

The lawful basis on which we process this information

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

- Comply with a legal obligation (Article 6 (1)(c))
- Carry out a task in the public interest (Article 6 (1)(e))

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way (Article 6 (1)(a))
- We need to protect your vital interests (or someone else's interests) (Article 6 (1)(d))

In addition, concerning any special category data:

- To check governor's criminal history before engaging them (Article 9 (2)(b))
- To produce reports on health to Public Health England (PHE) or the Health & Safety Executive (HSE) as required (Article 9 (2)(i))

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.

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so. Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

Collecting governance information

We collect personal information via pre-engagement contact forms and related party transaction forms.

Governance 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.

Storing governance information

We create and maintain a file for each member, trustee or local advisor. The information contained in this file is kept secure and is only used for purposes directly relevant to your term of office at the organisation.

Once your term of office with us has ended, we will retain this file and delete the information in it in accordance with the Information and Records Management Society's (IRMS) Toolkit for schools

Who we share governance information with

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so. Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- The Department for Education
- Our regulator - Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Central and local government
- Our auditors
- Professional advisers and consultants
- Police forces, courts, tribunals
- Professional bodies

Transferring data internationally

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

Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities. 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
- [section 538 of the Education Act 1996](#)

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](#).

How Government uses your data

The governance data that we lawfully share with the DfE via GIAS:

- will increase the transparency of governance arrangements
- will enable maintained schools and academy trusts 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.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- 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
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If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's 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>

How to access personal information we hold about you

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 Data Protection Officer**.

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 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 at <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by 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 Data Protection Officer.

Complaints

We take any complaints 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 make a complaint, please contact our data protection officer.

Alternatively, 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**:

- Mrs Jo Hamer
Dallam School
Milnthorpe
LA7 7DD
Tel: 015395 65165