Privacy Notice (How we use personal information on GIAS – Get Information About Schools)

This notice explains what personal data (information) we hold about you, how we collect, how we use and may share information about you. We are required to give you this information under data protection law.

Avishayes Primary School & Early Years Centre is the 'data controller' for the purposes of data protection law. Our Data Protection Officer (DPO) is Amy Brittan (see 'Contact' below).

The personal data we hold about you

We hold some personal information about you when you are a Governor for a school in our Trust.

This includes:

- personal identifiers (such as name, address, contact details, gender)
- Special Category characteristics (disability)
- governance details (such as role, start and end dates and governor ID)
- details of governance training booked and attended
- if you visit the school during a public health emergency, we may also collect some limited information about you as we are required to by law

This list is not exhaustive. To access the current list of categories of information we process please request to see our data asset audit by contacting the Trust.

Why we use this data

We use this data to help run the school and Trust including:

- to meet the statutory duties placed upon us
- to communicate with you about relevant school or Trust business
- to procure appropriate training for you to fulfil your role

Our legal basis for using this data

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing governance information are:

- *Article 6 (c) Legal obligation***:** the processing is necessary for us to comply with the law

Some information we process will be Special Category data under Article 9 of UK GDPR e.g. disability. We will rely on the legal basis of *Article 9 (g)* processing is necessary for reasons of substantial public interest.

All academy trusts, under the Academies Financial Handbook have a legal duty to provide the governance information as detailed above.

Collecting this information

We collect personal information via annual contact forms.

Governance data is essential for the 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.

Data sharing

For the most part, personal data collected will remain within the school and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis).

We may routinely share information with:

- the Department for Education (DfE)
- Somerset LA

Somerset Local Authority

We are required to share information about our governance with Somerset Local Authority under Section 30 of the Education Act 2002.

We will provide the Local Authority with names and contact details of our governance in order for the LA to:

- maintain an accurate database
- contact you regarding statutory changes in legislation and details of training opportunities
- ascertain local authority governor vacancies to be filled
- assess and report on vacancies across the county

Department for Education

We are required to share information about individuals in governance roles with the (DfE) under the requirements set out in the Academies Financial Handbook

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

For more information, please see 'How Government uses your data' section (Appendix)

International transfers of personal data

We have audited where we store all the personal data processed in the school/Trust and by third party services. If a third-party service stores data in the EU or US, we have ensured that safeguards such as standard contractual clauses are in place to allow the safe flow of data to and from the school.

How we store this data

We hold governor data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements.

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality. We also have procedures in place to deal with any suspected data security breach. We will notify you and the Information Commissioner's Office of a suspected data security breach where we are legally required to do so.

Your rights

How to access personal information we hold about you

Under data protection legislation, our governors have the right to request access to information about themselves that we hold. To make a request for your personal information, contact the Trust.

If we do hold information about you, we will:

- give you a description of it
- tell you why we are holding and using it, and how long we will keep it for

- explain where we got it from
- tell you who it has been, or will be, shared with

Your other rights over your data

You have other rights over how your personal data is used and kept safe, including the right to:

- say that you don't want it to be used if this would cause, or is causing, harm or distress
- stop it being used to send you marketing materials
- say that you don't want it used to make automated decisions (decisions made by a computer or machine, rather than by a person)
- have it corrected, deleted or destroyed if it is wrong, or restrict our use of it
- claim compensation if the data protection rules are broken and this harms you in some way
- let you know if we are using your data to make any automated decisions (decisions being taken by a computer or machine, rather than by a person)

You may also ask us to send your personal information to another organisation electronically in certain circumstances. If you want to make a request, please contact our Data Protection Officer (see 'Contact').

Complaints

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we've done something wrong.

You can make a complaint at any time by contacting our Data Protection Officer.

You can also complain to the Information Commissioner's Office in one of the following ways:

- report a concern online at https://ico.org.uk/concerns/
- call 0303 123 1113
- write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer: dposchools@somerset.gov.uk

Last updated December 2021

Appendix:

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 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.

How to find out what personal information the 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

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