Privacy Notice

September 2022
V7

Privacy Notice (How we use information about Governors and Volunteers - GIAS)

Hales Valley Trust collects and processes personal data relating to Governors and Volunteers who are engaged to work with us. **Hales valley Trust** is committed to being transparent about how it collects and uses the data and to meeting its data protection obligations. This privacy notice will inform you about why **Hales Valley Trust** collects and processes a range of information about you.

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

- Personal information (such as name, address and contact details, where appropriate details of your bank, national insurance number, information about your marital status, next of kin, dependants and emergency contacts).
- Special categories of data including characteristics information (such as gender, age, ethnic group).
- information about your engagement with us (such as start dates, terms and conditions of your engagement, your role as a Governor or volunteer, hours engaged, activities you have engaged with).
- Qualifications (such as skills and experience, where relevant).
- Information about your criminal record.
- Details of any disciplinary or grievance procedures in which you have been involved (such as any warnings issued to you and related correspondence).
- Information about medical or health conditions (such as whether or not you have a disability for which the organisation needs to make reasonable adjustments).

Hales Valley Trust collects this information in a variety of ways. For example, data might be collected through a Governor/volunteer application form; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during your engagement; from correspondence with you; or through meetings or other interaction with you.

In some cases, **Hales Valley Trust** may collect personal data about you from third parties, such as references supplied by former employers and information from criminal records checks permitted by law.

Why we collect and use this 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 governor/volunteer information, for the following purposes:

- Enable the development of a comprehensive picture of who is operating within the school and how everyone is deployed.
- Ensure we meet statutory requirements in terms of our Governing body.
- Maintain accurate and up-to-date records and contact details (including details of who to contact in the event of an emergency).

- Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace.
- Operate and keep a record of performance and related processes, to undertake skills analysis, and for succession planning and management purposes.
- To ensure that we comply with duties in relation to individuals with disabilities and meet our obligations under health and safety law.
- Respond to and defend against legal claims.
- Maintain and promote equality in the workplace.
- To ensure Safeguarding requirements are met.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out obligations under Health and Safety and Disability Discrimination Act (such as those in relation to Governors/volunteers with disabilities).

The lawful basis on which we process this information:

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

6.1(c) for the purpose named above in accordance with the legal basis of Legal Obligation.
For example: The Health and Safety at Work Act, Equality Act 2010, The Disability Discrimination Act.

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 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.

9.1(b) Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

Collecting governor/volunteer information:

We collect personal information via for example, governor/volunteer contact forms.

This 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 governor/volunteer 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 see our retention policy. Data will be stored in a range of different places, including the personnel file, in the organisation's HR management systems and in other IT systems (including the organisation's email system).

Who we share governor/volunteer information with:

Your information may be shared internally, including senior staff whom you report to or who have supervisory/management responsibilities for you and business support and IT staff if access to the data is necessary for performance of your activities.

Hales Valley Trust share this information with:

- Our local authority (where applicable)
- The Department for Education (DfE)
- NHS Test and Trace and Public Health England a central part of the government's (COVID- 19) recovery strategy
- Zoom (Video communication system)
- Microsoft Teams
- School Life (recording Covid absences for local authority and public health)
- GovernorHub (Secure Cloud based platform for governance evident and documentation I.e Board meetings, Local Committee meetings across Hales Valley Trust)
- Ucheck (DBS online portal)
- NGA (Learning platform)
- National Online Safety (Learning Portal)

Local authority

We are required to share information about our governors with our local authority (LA) to comply with our legal obligations, such as safeguarding concerns, making a decision about your recruitment and employment, assessing qualifications for a particular job or task, gathering evidence for possible grievance or disciplinary hearings.

The lawful basis to share information about our governors/volunteers with our local authority (LA) is contained under section 538 of the Education Act 1996.

How Government uses your data:

The governor/volunteer 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 publically 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.

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 individuals in governance roles with the Department for Education (DfE), under: 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.

Why we share information:

We do not share information about you with anyone without 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.
- Your family or representatives.
- Educators and examining bodies.
- Our regulator-Ofsted.
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll.
- Financial organisations.
- Central and local government.
- Our auditors.
- Survey and research organisations.
- Health and social welfare organisations.
- Professional advisers and consultants.
- Charities and voluntary organisations.
- Police forces, courts, tribunals.
- Professional bodies.

CCTV

This section of the privacy notice relates to our CCTV System, including, but not limited to, where it has been installed on the outside of some of our buildings.

What personal information does this service use?

The CCTV system captures images of people and vehicles in and around where a camera is located. Where fixed CCTV cameras are operating, there will be signs clearly displayed. Images captured by CCTV will not be kept for longer than 30 days. However, on occasions there may be a need to keep images for longer, for example where a crime is being investigated.

What is this personal information used for?

We use this personal data for the following reasons:

a) To increase personal safety of pupils, staff and visitors, and reduce the fear of crime.
b) To protect the school buildings and their assets.
c) To support the Police in a bid to deter and detect crime.
d) To assist in identifying, apprehending and potentially prosecuting offenders.
e) To protect members of the public and private property.
f) To assist in managing the school.

What is the lawful basis we are relying on?

We collect and use this information to ensure the school can undertake its remit to educate children ensuring personal safety of pupils, staff and visitors, protecting school buildings and its assets and to assist in managing the school (Article 6(1)(e) of the General Data Protection Regulation). The school will use the 'Passport to Compliance', issued by the Surveillance Camera Commissioner to ensure that the surveillance camera system complies with the Guiding Principles set out in the Surveillance Camera Code of Practice published by the Home Office as a requirement of the Protection of Freedoms Act 2012.

Where has your personal information come from?

The images are captured because you are present in the area which is covered by the CCTV system.

Who will we share this personal information with?

Your personal data is shared securely with the following, where it is both necessary and appropriate to do so:

- Relevant staff within the school
- Our local authority
- The Police

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**:**

YourIG Data Protection Officer Service
Dudley MBC, 3-5 St James's Road, Dudley, DY1 1HZ
Email: YourIGDPOService@dudley.gov.uk tel: 01384 815607

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, 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/

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.

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

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

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 on **20th September 2022.**

Further information:

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

YourIG Data Protection Officer Service
Dudley MBC, 3-5 St James's Road, Dudley, DY1 1HZ
Email: YourIGDPOService@dudley.gov.uk tel: 01384 815607