Fairhaven CE VA Primary School

Governor Data Privacy Notice

[Version v1.1]

If you are reading a printed version of this document, you should check the Information Management pages on the school website to ensure that you have the most up-to-date version.

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

Data Protection Officer: **Data Protection Education Ltd**

Telephone: 0800 0862018

Email: dpo@dataprotection.education

If you would like a copy of any documentation, please contact the school office: **office@southwalshamfairhaven.norfolk.sch.uk**

Version Control

Version	Author	Date	Approved by	Effective from
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Purpose of this document

Fairhaven CE VA Primary School is a data controller for the purposes of UK data protection law.

This privacy notice explains how we collect, use, store and share personal information relating to [Governors].

Under the Data Protection Act 2018 and the UKGDPR, individuals have a right to be informed about how their personal data is used.

The categories of governance information we collect

We may collect, use, store and share the following categories of information:

- name, title and contact details;
- address and date of birth;
- governance role information;
- appointment and term information;
- committee memberships and attendance records;
- declarations of business and pecuniary interests;
- related party information;
- training and development records;
- governance correspondence and meeting participation records;
- complaints, disciplinary or conduct information where relevant;
- identity verification documents;
- DBS and safeguarding suitability information;
- digital account and access information where school systems are used; and

Why we collect and use this information

We use governance information to:

- fulfil legal and regulatory obligations;
- support effective governance and oversight;
- maintain records of governance appointments and attendance;
- support safeguarding and wellbeing oversight;
- manage conflicts of interest and related party transactions;
- provide governance training and development;
- communicate regarding governance business;
- maintain the security of systems and premises; and

- comply with Department for Education and Charity Commission requirements.

Our lawful basis for using this information

We process governance information under the following lawful bases:

- Article 6(1)(c) UKGDPR – legal obligation;
- Article 6(1)(e) UKGDPR – public task;

[Maintained schools] Our governance functions arise under the Education Act 2002 and the School Governance (Constitution) (England) Regulations 2012 (or the applicable federation regulations), as amended, and the School Governance (Roles, Procedures and Allowances) (England) Regulations 2013. Relevant duties include appointment, eligibility, interests and governance records; regulation 16A of the 2012 Regulations requires enhanced DBS checks for governors. Article 6(1)(c) applies to processing required by these legal duties and Article 6(1)(e) to necessary public governance functions.

- Article 6(1)(f) UKGDPR – legitimate interests, only outside the performance of our public tasks and subject to an appropriate balancing assessment; and

[PRUs] Governance is through a management committee under Schedule 1 to the Education Act 1996 and the Education (Pupil Referral Units) (Management Committees etc.) (England) Regulations 2007, as amended. Article 6(1)(c) applies to statutory governance and eligibility requirements, and Article 6(1)(e) to necessary public governance functions. [Confirm the controller and allocation of responsibilities with the local authority.]

- a specific condition under Article 9 UK GDPR for each purpose involving special category data, together with any applicable condition in Schedule 1 of the Data Protection Act 2018.

[Academy trusts] Governance operates under the Academies Act 2010, the Companies Act 2006, applicable charity law, the trust's articles of association, funding agreement and the Academy Trust Handbook. Article 6(1)(c) applies to statutory company and charity duties, and Article 6(1)(e) to necessary public education and governance functions, including applicable DfE reporting and funding requirements. A funding agreement or handbook requirement is not, by itself, a statutory legal obligation.

For necessary DBS and criminal-offence suitability checks, we rely on Article 6(1)(c) UK GDPR where a statutory duty requires the processing, or Article 6(1)(e) where necessary for our public safeguarding and governance functions. Article 10 UK GDPR and section 10(5) of the Data Protection Act 2018 additionally require domestic-law authorisation: we rely on Schedule 1, Part 2, paragraph 6 (statutory and government purposes), where processing is necessary for a function conferred by enactment or rule of law and for reasons of substantial public interest. We maintain an Appropriate Policy Document. [Record the applicable statutory function and check for each role in Appendix A; retain only checks for which the role is eligible.]

Enhanced DBS checks do not automatically include a children's barred-list check. We request barred-list information only where the individual's activities make that check legally permissible; governance duties alone do not constitute regulated activity.

Automated processing and digital systems

The school may use digital governance systems and AI-assisted administrative tools to support governance administration, communication and record management.

Any significant decisions affecting individuals will involve appropriate human oversight.

Collecting governance information

Most governance information is provided directly by [Governors], although some information may also be obtained from:

- the Department for Education;
- local authorities;
- Disclosure and Barring Service checks;
- governance professionals;
- training providers; and
- regulatory or safeguarding bodies.

- At the point of collection, we will explain whether information is required, the relevant statutory or contractual requirement, the possible consequences of not providing it, and whether you have a choice.

Storing governance information

We hold governance information securely for the periods, or in accordance with the criteria, set out in our retention schedule. The current schedule is available at [insert direct website link] or from the school/trust office.

We use appropriate technical and organisational security measures to protect personal information.

Who we share governance information with

We may share governance information with:

- the Department for Education;
- local authorities;
- the Education and Skills Funding Agency;
- the Charity Commission;
- safeguarding agencies;

- auditors, insurers and legal advisers;
- governance support providers;
- IT and cloud service providers acting on our behalf; and
- regulators and law enforcement bodies where required.

Some governance information may be published where required by law or guidance, including on the school/trust website or Get Information About Schools (GIAS).

[Specify which governance fields are published on the school/trust website and GIAS, and distinguish these from restricted fields such as dates of birth, home addresses and personal contact details.]

We share governance information with the Department for Education where required: maintained-school governing bodies and pupil referral units under section 538 of the Education Act 1996; and academy trusts, academies and free schools under the requirements of the Academy Trust Handbook. Delete the alternatives that do not apply.

Governance information is entered on the Get Information About Schools service and protected by government security controls. Public and restricted fields are managed in accordance with GIAS requirements.

The governance data shared with the Department for Education helps make governance arrangements transparent, identify individuals serving in more than one governance context and, in a small number of cases, support suitability checks.

Further information is available at https://www.gov.uk/government/news/national-database-of-governors and https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights.

International transfers

Some service providers may process information outside the United Kingdom. Where this occurs, we will identify the destination and use an applicable transfer mechanism, such as UK adequacy regulations, the UK International Data Transfer Agreement or the UK Addendum to approved contractual clauses. Information about the applicable safeguard, and how to obtain a copy, is available from the Data Protection Officer.

Your rights

Your rights depend on our purpose and lawful basis for processing and are not all available in every circumstance. Where applicable, your rights include:

- the right to be informed;

- the right of access;
- the right to rectification;
- the right to erasure in certain circumstances;
- the right to restrict processing;
- the right to object to processing; and
- rights relating to automated decision-making.

Requests should be directed to [insert email address or web form]. Where we rely on consent, you may withdraw it at any time by using the same contact details.

Concerns and complaints

If you have concerns about how your information is handled, please contact the Data Protection Officer in the first instance.

If you wish to make a complaint about how we have used your personal information, please contact the Data Protection Officer using the details on the first page or submit it electronically using [insert email address or web form]. We will acknowledge receipt within 30 days and take appropriate steps to investigate and respond without undue delay. You also have the right to complain to the Information Commissioner's Office at https://ico.org.uk/make-a-complaint/data-protection-complaints/. You may contact the ICO without first completing our complaints process.

Our data protection complaints procedure is available at [insert direct link to the school/trust data protection complaints procedure]. It explains how to complain, including electronically, and the response times. We will acknowledge receipt within 30 days, investigate without undue delay, keep you informed of progress and communicate the outcome without undue delay. The 30-day period is for acknowledgement, not a fixed deadline for the final response.

Review

This privacy notice will be reviewed annually or sooner where legislative or operational changes require updates.