



The Southwater Infant Academy

Privacy Notice (How we use trustees, members and volunteers information)

Under data protection law, individuals have a right to be informed about how the academy uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals working in a voluntary capacity for the academy, including trustees.

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

We process the following personal data relating to those who hold a trustee role, or otherwise engage in voluntary work at, our academy.

- Personal information (such as name, date of birth, contact details and postcode) given on application forms
- Governance details (such as role, start and end dates and governor ID)
- References
- Documents to support an Enhanced Disclosure and Barring Service application, such as copies of Passports, Bank statements, Birth and Marriage Certificates
- Evidence of academic qualifications
- Employment details
- Information about business and pecuniary interests
- Photographs and images captured on onsite CCTV
- Data about your use of or access to the school's information and communication systems.
- Special categories of data including characteristics information such as ethnic group, disability/access requirements or other medical information

Why we collect and use this information

The personal data collected is essential, in order for the academy to fulfil our official functions and meet legal requirements.

We collect and use volunteer, trustee and member information, for the following purposes:

- Establish and maintain effective school governance
- Meet statutory obligations for publishing and sharing members/trustees details
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Identify you and safely evacuate the academy in the event of an emergency
- Undertake equalities monitoring
- Ensure that appropriate access arrangements can be provided for volunteers/trustees who require them

The lawful basis on which we process this information

Under current data protection legislation, the academy must identify a valid, lawful basis for any data processing they carry out. We process personal data in relation to trustees and volunteers using the following lawful bases:

GDPR Article 6 (1)

1. Where the data subject has given consent for the processing of their personal data.
2. Processing is necessary for the performance of a contract.
3. Processing is necessary for compliance with a legal obligation.
4. Processing is necessary in order to protect the vital interests of the trustee/volunteer
5. Processing is necessary for the academy to be able to fulfil a public task, ie the provision of education.

All maintained school governing bodies, under [section 538 of the Education Act 1996](#) and academy trusts, under the [Academy Trust Handbook](#) (also known as the Academies Financial Handbook) have a legal duty to provide the governance information as detailed above.

GDPR Article 9 (2)

1. Where the data subject has given explicit consent for the processing of special category personal data.
2. Processing of special category data is necessary for obligations in the field of employment.
3. Processing of special category data is in the substantial public interest
4. We are required to for reasons of “public health”, for example during a pandemic

Please see the academy’s Special Category Data policy for more information about how we process this type of data. This policy can be found on our website.

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 academy’s use of your data.

Collecting member, trustee and volunteer information

We collect personal information via trustee or volunteer applications forms.

Trustee 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 member, trustee and volunteer information

We store volunteer, trustee and member data securely for the set amount of time shown in our retention schedule, and it is only used for purposes directly relevant to your voluntary role with the academy.

When your relationship with the academy has ended, we will retain and then securely dispose of your personal information in accordance with our retention schedule. A copy of this schedule is available on request from the Academy Office.

Who we share member, trustee and volunteer information with

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, such as safeguarding concerns.
- the Department for Education (DfE)
- Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as School Effectiveness services.
- Traded services purchased through the LA (e.g. for Legal, Human Resources or Information Governance Support)

We only share data with organisations who have adequate security measures and protections in place.

Why we share governor, trustee and volunteer information

We do not share information about our trustees or volunteers without consent unless the law and our policies allow us to do so.

Department for Education (DfE)

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).

We are required to share information about our governors with the (DfE) under the requirements set out in the [Academy Trust 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.

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 the Academy Office Manager, Mrs Sharon Ashbolt.

Depending on the lawful basis above, you may 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 academy Office Manager, Mrs Sharon Ashbolt.

Data Protection Officer

Peter Questier (East Sussex County Council, Information Governance Team. Children's Services)

However, please contact the school in the first instance if you have a query regarding this privacy notice or how your information is used.

How Government uses your data

The trustee 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.

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 3rd November 2022.