

## Privacy Notice - Members, Trustees, Committee Members and Volunteers

This privacy notice explains how we collect, store and use personal data about **individuals working with our trust in a voluntary capacity, including Members, Trustees, Committee Members and Volunteers (for the purpose of this document referred to as governors)**.

It provides a guide to about our legal obligations and their own rights. Like any organisation which handles personal data, our school is the 'Data Controller' as such, we are registered with the ICO (Information Commissioner's Office) and we comply with UK General Data Protection Regulation (UK GDPR). Our ICO registration number is **Z3008898**.

### Who processes your information?

HMFA is the organization which oversees your personal information. This means that HMFA is called the 'Data Controller'. The postal address for HMFA, Lord Scudamore Academy, Friars Street, Hereford, HR4 0AS. You can speak to us or you can leave a letter at reception or send one by post or email by emailing school email address. You can also email our Data Protection Officer SchoolPro TLC Limited using the email address [DPO@schoolpro.uk](mailto:DPO@schoolpro.uk)

### The Categories of Governance Information That We Process Include:

- personal identifiers, contacts and characteristics (such as name, date of birth, contact details and postcode)
- References
- Evidence of qualifications
- Governance details (such as role, start and end dates and governor ID)
- Employment information (such as references, start dates, roles held)
- Qualifications
- Business and pecuniary interests
- Information about your use of our information and communication systems, equipment and facilities (e.g. school computers/Wi-Fi)

We may also collect, use, store and share (when appropriate) information about you that falls into 'special categories' of more sensitive personal data. This includes, but is not restricted to:

- Special categories of data including characteristics information such as gender, age, ethnic group
- Medical information (such as disabilities, allergies, illnesses, dietary requirements, accidents and first aid records, etc.)
- Attendance information (such as number of absences, absence reasons, etc.)
- Records of concerns about governor welfare and/or wellbeing
- Photographs and CCTV images captures in school

## **Why We Collect this Data**

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 information, for the following purposes:

- to meet the statutory duties placed upon us
- establish and maintain effective governance
- meet statutory obligations for publishing and sharing governance details
- facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- undertake equalities monitoring
- ensure that appropriate access arrangements can be provided for volunteers who require them
- enable individuals to be kept informed of governance training and relevant information
- to comply with the law with regards to data sharing
- ensure our information and communication systems, equipment and facilities (e.g. school computers/Wi-Fi systems) are used appropriately, legally and safely

## **Use of your personal data for marketing purposes**

Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you. You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us.

## **Use of your personal data in automated decision making and profiling**

We do not currently process any governing board members/trustees or other volunteers' personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

## **Our lawful basis for using this data**

We process this information under Legal Obligation as it is a statutory requirement under the DfE Academy Trust Handbook to inform the DfE through the national database Get Information About Schools, (GIAS) and Companies House about new member, trustee and governor appointments, it is a statutory requirement for all governors to have an enhanced DBS check and it is a statutory requirement that the school website includes member/trustee/ governor and governance professional information.

We process criminal offence data under Article 10 of the UK GDPR.

Our Data Protection Policy highlights the conditions for processing in schedule 1 of the Data Protection Act 2018 that we process Special Category and Criminal Offence data under.

## **Our basis for using special category data**

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and 1 of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

## **Collecting Governance Information**

We collect personal information via governor contact form via Governor Hub.

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 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.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals

## **Storing Governance Information**

Personal data is stored in accordance with our data protection policy (GDPR). We maintain a file to store personal information about all volunteers. The information contained in this file is kept secure and is only used for purposes directly relevant to your work with the school.

We hold governor information for the length of time that the individual serves or until they resign plus 12 months. The HMFA and school website must include stipulated information on governors who have served in the last 12 months; (name, category of governor, term of office,

appointed by, any office held [such as chair, vice-chair, role], summary of relevant business interests, attendance at meetings, name and school contact address for the chair of the trust board). 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 Data Protection Policy by visiting <https://hmfa.org.uk/information/policy-documents/>

## **Who We Share Governance Information With**

We routinely share this information with:

- Our Local Authority– to meet our legal obligations to share certain information with it, such as safeguarding concerns
- The Department for Education (DfE) through Get Information about Schools (GIAS)
- Ofsted
- National Governance Association
- GovernorHub
- Disclosure and Barring Service
- Companies House
- Suppliers and service providers:
  - Our auditors
  - Health authorities
  - Security organisations
  - Professional advisers and consultants
  - Charities and voluntary organisations
  - Police forces, courts and tribunals

## **Transferring data internationally**

We may share personal information about you with the following international third parties, where different data protection legislation applies:

- App or cloud server providers

Where we transfer your personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

## **Why we share governor information**

We do not share information about individuals in governance roles with anyone without consent unless the law and our policies allow us to do so.

### ***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:

We are required to share information about individuals in governance roles 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.

### ***National Governance Association (NGA)***

In order to access the NGA website and receive weekly email updates it is necessary for the NGA to have names and HMFA email addresses. Home addresses are not provided to NGA by HMFA. An individual can unsubscribe at any time.

### ***GovernorHub***

Sharing of governance information (minutes, agendas, supporting papers for meetings) is managed through GovernorHub ensuring that it is not necessary for individuals to hold these papers on personal electronic devices. This holds personal information, which can include email addresses, postal addresses, personal phone numbers, date of birth and declarations of interest.

### ***Trust/School Office***

In case of emergency or an Ofsted inspection it is necessary for the central/school office to hold details of any individuals involved in the governance of the MAT. They will also receive details of DBS clearance and enter your details on the Single Central Record.

### ***Other governors/clerks/governance professionals on the same Governing Board or in the same MAT***

For ease of communication and if appropriate contact details may be shared with other governors/clerks/governance professionals on the same board in or in the same MAT.

### ***Companies House***

In accordance with Sections 167 & 167D of the Companies Act 2006 anyone on the Trust Board of an Academy must be registered with Companies House as you are a Director of the Company. Historical data of named directors is held indefinitely.

### ***Disclosure and Barring Service***

All governors and individuals on any Local Committees in a MAT are required to have an enhanced criminal records certificate from the DBS. Further details on DBS checks in schools are within the statutory guidance Keeping Children Safe in Education (KCSIE).

### ***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 school office or our Data Protection Officer SchoolPro TLC Limited using the email address [DPO@schoolpro.uk](mailto:DPO@schoolpro.uk)

Depending on the lawful basis used for processing data (as identified above), you may also have the right to:

- have your personal data rectified if it is inaccurate or incomplete;
- request the deletion or removal of personal data where there is no compelling reason for its continued processing;
- restrict our processing of your personal data (i.e. permitting its storage but no further processing);

- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics; or
- not 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 the Department for Education (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:

our HMFA Lead Governance Professional. [Hmfa.companysecretary@hmfa.org.uk](mailto:Hmfa.companysecretary@hmfa.org.uk)

## **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 07/05/24

## **Contact**

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

our data protection lead - [jbrace@ls.hmfa.org.uk](mailto:jbrace@ls.hmfa.org.uk)

or

our Data Protection Officer – [DPO@schoolpro.uk](mailto:DPO@schoolpro.uk)

## **How Government Uses Your Data**

The governance data that we lawfully share with the Department for Education (DfE) via GIAS:

- will increase the transparency of governance arrangements
- will enable local authority-maintained schools, academies, academy trusts and the Department for Education (DfE) to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context
- allows the Department for Education (DfE) 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 (DfE) including the data that we share with them, go to

<https://www.gov.uk/government/news/national-database-of-governors>

Some of these personal data items are not publicly available and are encrypted within the GIAS system. Access is restricted to authorised Department for Education (DfE) and education establishment users with a Department for Education (DfE) Sign-in (DSI) account 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 for Education (DfE) unless the law allows it.

## How to Find Out What Personal Information Department for Education (DfE) Hold About You

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they are 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 for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) 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 the Department for Education (DfE): <https://www.gov.uk/contact-dfe>

## Document Version Control Log

Version	Date	Description of changes and person/organisation responsible
2.0	30/04/2020	Text updated in 'Why We Collect and Use Workforce Information' to reflect Article 10 for processing criminal offence data and link to Data Protection Policy for conditions of processing in Schedule 1 of the Data Protection Act 2018.
2.1	26/02/2021	Text updated to reflect end of Brexit transition and updates references from the General Data Protection Regulation (GDPR) to the UK General Data Protection Regulation (UK GDPR). (SchoolPro TLC)
2.2	17/10/2022	Text updated in 'Requesting Access to Your Personal Data' to reflect new DfE wording regarding data subject rights. Bullet point list has been updated as well as introductory text to the list. (SchoolPro TLC)
2.3	11/08/2023	Text updated in 'How the Government Uses Your Data' to include some text minor changes. The changes are mostly to change references to the DfE to 'Department for Education (DfE)' in all cases and remove statistics on pupil data shares. (SchoolPro)
