



Birchington CE Primary School

Privacy Notice for Governors

Under data protection law, individuals have a right to be informed about how the school 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 we employ, or otherwise engage, to work at our school.

We, Birchington CEP School, are the 'data controller' for the purposes of data protection law.

Our **Data Protection Officer** is **Invicta Law Ltd.** - see 'Contact us' below.

The personal data we hold

We process data relating to those who are Governors at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Full name, including previous surnames
- Contact details
- Date of birth
- Governor Type
- Term of office
- Governor ID number
- Postcode of home address
- Details of governor training booked and attended
- Attendance at Governor meetings
- Safeguarding information, DBS number, Disqualification by Association information
- Photograph
- CCTV images captured which may have relevance to an individual adult (see CCTV policy for more details)

We will ask you to complete a legal declaration form which confirms your eligibility to be a governor, and meets the school's statutory requirements

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs and sexual orientation
- Health, including any medical conditions, sickness records and disability status

Why we use this data

The purpose of processing this data is to help us run the school, including to:

- Maintain a Governor Database
- Establish and maintain effective governance
- Meet statutory obligations for publishing and sharing governor's details



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- 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
- Contact Governors regarding statutory changes in legislation and details of training opportunities
- Ascertain Local Authority Governor vacancies to be filled (statutory role)
- Assess and report on vacancies across the county
- Plan future training requirements

Our legal basis for using this data

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Comply with a legal obligation
- Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)

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 school's use of your data.

We have a legal obligation under section 30 of the Education Act 2002 to hold the contact details of Chairs of Governors. We need the details of Local Authority Governors to fulfil our responsibilities to fill these vacancies when they arise.

We rely on consent to hold the home address and phone number of all other types of governor. We will issue all Governors with a school-based email.

If we need to collect special category (sensitive) personal information, we rely upon reasons of substantial public interest (equality of opportunity or treatment).

Collecting this information

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

How we store this data

Governor records are stored securely in paper files and electronically on the Clerk's encrypted USB stick.



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We create and maintain a Governor file for each Governor. The information contained in this file is kept secure and is only used for purposes directly relevant to your role.

CCTV images are stored on encrypted SD cards in each individual camera or on encrypted USB sticks stored in the school safe (see CCTV policy for more details).

Once your relationship with us has ended, we will retain this file and delete the information in it in accordance with the [Information and Records Management Society's toolkit for schools](#), available on request from the school office.

Data sharing

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with the General Data Protection Regulation, otherwise known as the GDPR) we may share personal information about you with:

- We publish some Governor details on our website and the National 'Get Information About Schools' (GIAS) website, to meet legal obligation
- Our local authority, to meet legal obligation
- Commissioned providers of local authority services (such as education services), to meet legal obligation
- The Department for Education or other Government departments or agencies, to meet legal obligation
- Our regulator, ESFA, to meet legal obligation
- Our auditors, to meet legal obligation
- Health authorities, to fulfill a contract
- Health and social welfare organisations, to meet legal obligation such as Riddor reporting
- Professional advisers and consultants, to fulfill a contract
- Ofsted, to meet legal obligation
- Kent & Medway National Leaders of Governance (NLG), to meet public interest

We will share personal information with law enforcement or other authorities if required by applicable law.

Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with the GDPR.

Your rights

How to access personal information we hold about you

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for



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- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please apply in writing, citing your reasons to Jonathan Forwood, Deputy Headteacher.

Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact the Deputy Headteacher.

Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

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

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Deputy Headteacher.

The school's **Data Protection Officer** is:

Invicta Law Ltd.

Email: dpo@invicta.law