

## **Privacy notice for governors, trustees, members and clerks**

Under data protection law, individuals have a right to be informed about how The Dorcan 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 **governors, trustees, members and clerks**.

The Dorcan Academy is the 'data controller' for the purposes of data protection law. Our data protection officer (DPO) is Ms Astrid Broderstad, [abroderstad@dorcan.co.uk](mailto:abroderstad@dorcan.co.uk)

### **The personal data we hold**

We process data relating to those we employ, or otherwise engage at the Academy. Personal data that we may collect, use, store and share (when appropriate) about you may include, but is not restricted to:

- personal information (such as name, address, email address and telephone number)
- special categories of data including characteristics information such as gender, age, ethnic group
- qualifications, skills, previous and current employment and information for profile
- Photographs
- CCTV footage

### **Why we use this data**

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

- enable appropriate checks to be completed to comply with safeguarding obligations
- enable the development of a comprehensive picture of governance and how it is deployed
- inform individuals about governance training and other relevant information
- Enable ethnicity and disability monitoring

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

We only collect and use personal information about you when the law allows us to. We process this information under 'Public Task', where processing is necessary to perform a task in the public interest or for official functions and where the task or function has a clear basis in law (Education Act 1944). So 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)
- We have legitimate interests in processing the data e.g. marketing purposes

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 consent can be withdrawn at any time by completing a request form from the DPO.

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 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**

We create and maintain files to hold the data. The information in this file is kept secure and is only used for purposes directly relevant to governance. Once your term with us ends, we will retain this file and delete the information in it in accordance with our retention guidelines, for example, we have to inform Companies House within 14 days when a Trustee resigns, however the Academy website and the DfE websites contain certain information about trustees/governors who have served in the last 12 months. Similarly, governors and trustees names are listed on the Company Accounts held at Companies House and within the Academy financial files and on the website.

### **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 data protection law) we may share personal information about you with:

- Our local authority – for governor support or to meet our legal obligations to share certain information with it, such as safeguarding concerns
- The Disclosure and Barring Service
- The Department for Education
- Governor hub
- The National Governance Association
- Companies House
- Our regulator e.g. Ofsted
- Central and local government
- Our auditors
- Professional bodies

### **Why we share trustee/governor information**

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

### **Local authority**

We are required to share information about our governance members with our local

authority (LA) due to subscribing to the Governor Support Service.

### **Department for Education (DfE)**

We share personal data with the Department for Education (DfE) on a statutory basis, through Get Information About Schools (GIAS).

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

In order to access the NGA website and receive weekly email updates it is necessary for the NGA to have email names and email addresses. Home addresses for those trustees/governors receiving the hard copy of the NGA magazine will also be supplied.

### **Governor Hub**

Sharing of governance information (minutes, agendas, supporting papers for meetings) is managed through Governor Hub ensuring that it is not necessary for individuals to hold these papers on personal electronic devices.

### **Academy**

In case of emergency or an Ofsted inspection it is necessary for the school office to hold details of any individuals involved in the governance of the school.

### **Other members/trustees/governors on the same Governing Board**

For ease of communication and if appropriate contact details may be shared with other members/trustees/governors on the same board.

### **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.

### **Disclosure and Barring Service**

All academy Members, Trustees and individuals 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).

### **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 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
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Advise if automated decision-making is being applied to the data, and the consequences
- Give you a copy of the information

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 subject access request, please ask for a form from the DPO.

### **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 for 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 send your request to the DPO.

### **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 **data protection officer**:

[abroderstad@dorcan.co.uk](mailto:abroderstad@dorcan.co.uk)

*This notice is based on the [Department for Education's model privacy notice](#), amended to reflect the way we use data in this school.*