

# Privacy notice (how we use personal information on Get Information about Schools (GIAS))

We process personal data relating to those we recruit as Governors and Trustees. This is for governance purposes to assist in the running of the school and/or to, when applicable, enable individuals to claim expenses.

## The categories of governance information that we process include:

- personal identifiers, contacts and characteristics (such as name, date of birth, contact details and postcode)
- governance details (such as role, start and end dates and governor ID)
- qualifications (and, where relevant, subjects taught)
- special categories of data including characteristics information such as gender, age, ethnic group

Information the school collects has been identified in the 'Information Audit' document, which can be accessed on the school's website. If there is any reason that the school is holding information, which has been omitted from the document, then the school will update the document immediately they are aware it.

## Why we collect and use governance information

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

We collect and use governance information, for the following purposes:

- to meet the statutory duties placed upon us
- to administer school property
- to maintain accounts and records
- to support governance training
- to assess the quality of services
- to comply with the law regarding data sharing
- enable the development of a comprehensive picture of governance and how it is deployed
- inform the development of recruitment and retention policies
- improving strategic management across the sector
- enabling development of a comprehensive picture of governance and how it is deployed
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning
- enable individuals to be paid for expenses
- enabling ethnicity and disability monitoring

## The lawful basis on which we process this information

On the 25th May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR).

The condition for processing under the GDPR will be:

### Article 6

1. Processing shall be lawful only if and to the extent that at least one of the following applies:
  - (c) Processing is necessary for compliance with a **legal obligation** to which the controller is subject;
  - (e) processing is necessary for the performance of a task carried out in the **public interest** or in the exercise of official authority vested in the controller;

### Article 9(2)

(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.
2. Paragraph 1 shall not apply if one of the following applies:
  - (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Further information regarding data collection can be found in the Education Act 1996 within guide documents on the following website: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

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

## Collecting governance information

We collect personal information via forms of requests.

Governance roles 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.

## Storing governance information

We hold staff data while they are on roll.

The staff file and electronic records are deleted when the member of staff leaves the school.

Any other data required for legal purpose (and compliance with Ofsted audits of the school) will remain on file and archived.

## Who we share governance information with

We routinely share this information with:

- The local authority
- The Department for Education (DfE) and central government
- Education, training, careers and examining bodies
- School staff and boards
- Family, associates and representatives of the person whose personal data we are processing
- Financial organisations
- NHS and healthcare professionals
- Social and welfare organisations
- Law enforcement organisation and courts
- Current, past or prospective employers
- Voluntary and charitable organisations
- Business associates and other professional advisers
- Suppliers and service providers
- Security organisations
- Press and the media
- School trips organisations
- [Multi-Academy Trusts (MATs)]

## Why we share governance 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.

### Local authority

We are required to share information about our governance roles with the Department for Education (DfE) under [section 538 of the Education Act 1996](#)

### Department for Education (DfE)

The Department for Education (DfE) collects personal data from educational providers 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 governance roles with the Department for Education (DfE) under [section 538 of the Education Act 1996](#)

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

**[For use by local authority maintained schools only:]**

We are required to share information about our governance roles with the Department for Education (DfE) under [section 538 of the Education Act 1996](#)

**[For use by academy trusts, academies and free schools only:]**

We are required to share information about individuals in governance roles with the Department for Education (DfE) under the requirements set out in the [Academies Financial Handbook academy trust handbook](#)

**[For use by pupil referral units (PRUs) only:]**

We are required to share information about our governance roles with the Department for Education (DfE) under [section 538 of the Education Act 1996](#)

All data is entered manually on the GIAS service and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current [government security policy framework](#).

For more information, please see the '[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 Headteacher.

You also have the right to:

- ask us for access to information about you that we hold
- 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
- 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 (ICO) at [Information Commissioner's Office](#).

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.

## 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
- 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

- allow 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 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 the Department for Education (DfE) hold about you

Under the terms of the [Data Protection Act 2018](#), you're 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'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 for Education (DfE), you should make a subject access request (SAR). 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 DfE: <https://www.gov.uk/contact-dfe>

## Further information/ Contact

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

Head Teacher, Data Protection Controller

Ruth Hawker, Data Protection Officer

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