



## **Privacy Notice – Members, Trustees and Local Academy Committee representatives**

### **V2.3 September 2023**

Under the UK General Data Protection Regulation (GDPR) 2021, *Tees Valley Education* is obliged to inform you of the information we hold on you, what we use it for, who we share it with, and for how long we keep it. This privacy notice (also known as a fair processing notice) aims to provide Members, Trustees and local academy committee representatives with this information.

*The Trust* is the data controller of the personal information that we collect, hold and share about you. This means the Trust determines the purposes for which, and the manner in which, any personal data relating to Members, Trustees and local academy committee representatives is to be processed. We are registered as a data controller with the Information Commissioner's office with the following data protection registration number **ZA293064**

### **The categories of Members, Trustees and local academy committee representatives information that we process include:**

- personal
- governance details (such as role, start and end dates and governor ID)
- addresses
- gender
- occupation
- skills and experience
- information acquired as part of your application to become a governor (including copies of identity checks, barred list checks and disqualification checks, information about bankruptcy, references and other info included in a CV, application form or cover letter as part of the application process)
- information about other posts held by you
- information about your conduct
- CCTV footage (where applicable)
- Information about your use of our information and communication systems
- photographs

### **Why we collect and use Members, Trustees and local academy committee representatives information**

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

We collect and use Members, Trustees and local academy committee representatives information, for the following purposes:

- a) to meet the statutory duties placed upon us
- b) where we need to protect your interests(or someone else's interests)
- c) where it is needed in the public interest or for official purposes
- d) where we have your consent
- e) to make decisions about whether to appoint you as a Members, Trustees and local academy committee representatives
- f) making decisions about your continued appointment as a Members, Trustees and local academy committee representatives
- g) dealing with the processes for the recruitment, selection and appointment of Members, Trustees and local academy committee representatives
- h) complying with our safeguarding obligations
- i) financial information such as expenses
- j) complying with health and safety obligations
- k) sending you communications connected to your role as a Members, Trustees and local academy committee representatives
- l) for the purposes of undertaking governance reviews

Our lawful basis for collecting and processing your personal information is defined under Article 6(1) of the UK GDPR, and the following sub-paragraphs apply:

- a) Data subject gives consent for one or more specific purposes.
- c) the processing is necessary to comply with the legal obligations of the school.

All maintained school governing bodies, under section 538 of the Education Act 1996 have a legal duty to provide the governance information as detailed above.

- e) the processing is necessary for tasks in the public interest or exercise of official authority vested in the controller.

Our lawful basis for collecting and processing special category information is defined under Article 9(2) of the UK GDPR and the following sub-paragraphs in Article 9(2) of the UK GDPR apply:

- a) The data subject has given explicit consent to the processing
- b) the processing is necessary for the purposes of carrying out the obligations exercising specific rights of the academy.
- g) Processing is necessary for reasons of substantial public interest

A full breakdown of the information we collect on Members, Trustees and local academy committee representatives and the lawful basis can be requested from head office in relation to Members and Trustees. For local academy representatives this information should be requested from the academy office of the representatives academy.

Where we have obtained your consent to use your personal data, this can be withdrawn at any time. We will make this clear to you when we ask for your consent and we will explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and

there may be several grounds which justify our use of this data.

## **Collecting Members, Trustees and local academy committee representatives information**

We collect personal information via contact forms and online applications.

Members, Trustees and local academy committee representatives data is essential for the Trust'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 Members, Trustees and local academy committee representatives information**

We have robust data protection policies and procedures in place to protect the personal information that we hold, which are regularly reviewed. Further information about our data protection polices can be found on our website or by contacting head office.

Full details of data retention periods adopted by *the Trust* can be found in the Disposal of Record Schedule, which is accessible via the following [hyperlink](#), or by contacting head office.

## **Who we share Members, Trustees and local academy committee representatives information with**

We share information about Members, Trustees and local academy committee representatives with:

- IT Systems (Data Protection Officer)
- Governance Professional (for Governance purposes)
- The Department for Education (DfE)
- Education, Skills Funding Agency
- Companies House
- The Trust's ICT provider (OneIT)
- Internal and External Auditors (Clive Owen and Azets)
- Legal advisers (Muckle)
- The Police or other law enforcement agencies (if there is a legal basis to do so)
- The Disclosure and Barring Service

We do not share information about our Members, Trustees and local academy committee representatives with anyone without consent unless the law and our policies allow us to do so.

## **Department for Education**

The DfE collects personal data from educational settings and local authorities. We are required to share information about our governors with the DfE under section 538 of the Education Act 1996.

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.

The governor 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 DfE including the data that we share with them, please use the hyperlink below:

<https://www.get-information-schools.service.gov.uk/Guidance/Governance>

**Please Note:** Some of 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.

## Requesting access to your personal data

Under UK data protection legislation, Members, Trustees and local academy representatives have the right to request access to information about them that we hold, through a Subject Access Request (SAR)

If you make a subject access request, and 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 or your child
- 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

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

To make SAR for your personal information, please email: [DPO@tved.org.uk](mailto:DPO@tved.org.uk) with Subject access request in the subject.

You also have the right to:

- Object to processing of personal data that is likely to cause, or is causing, damage or distress
- Prevent processing for direct marketing
- Object to decisions being taken by automated means

- In certain circumstances, have inaccurate or incomplete personal data rectified, blocked, restricted, erased or destroyed.
- claim compensation for damages caused by a breach of the UK Data Protection regulations

## 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 if you have any other concern about our data processing, please raise this with *Emma Chawner, Director of Finance, Resources and Operations* via email at: [emma.chawner@tved.org.uk](mailto:emma.chawner@tved.org.uk) in the first instance.

You can contact the Trust's Data Protection Officer (Emma Chawner) if you have any questions, concerns or complaints or would like more information about anything mentioned in this privacy notice.

### **Emma Chawner**

#### **Director of Finance, Resources and Operations (Information Governance)**

Tees Valley Education

C/O Pennyman Primary Academy

Fulbeck Road

Middlesbrough

TS3 0QS

Tel No: 01642 221156

Email: [emma.chawner@tved.org.uk](mailto:emma.chawner@tved.org.uk)

### **Data Protection Officer (for Schools)**

IT Systems & Support Limited

North Point,

Faverdale North,

Darlington,

DL3 0PH

Tel No: 0343 8868660

Email: [DPO@itsystems.uk.net](mailto:DPO@itsystems.uk.net)