



## **Privacy Notice for Local Academy Council Members** **General Data Protection Regulation**

### **Charnwood Primary Academy's Commitment to Data Privacy**

Charnwood Primary Academy is committed to protecting the privacy and rights of anyone who chooses to share their personal data with us. Under data protection law, individuals have a right to be informed about how we use any personal data we hold about them and we comply with this right by providing 'privacy notices' (sometimes called fair processing notices) to individuals where we are processing their personal data. Individuals can find out more information about the UK GDPR [here](#).

This privacy notice explains what personal information the Academy collects and holds about LAC Members. It explains why we hold this information, what we do with it, how long we keep it for and if we share it with third parties.

The Academy is the Data Controller for the personal information you provide to us. This means that we determine the purposes for which, and the manner in which, any personal data relating to LAC Members is to be processed in order to comply with legal obligations and legitimate interests (in accordance with Article 6 of the GDPR) as a public sector organisation. The personal data collected is essential, in order for the Academy to fulfil its official functions.

A data protection representative for the Academy, Katie Stanley, can be contacted on 01543 227560 or [headteacher@charnwood.staffs.sch.uk](mailto:headteacher@charnwood.staffs.sch.uk) in the first instance for any queries in relation to the processing of your personal data.

Staffordshire University Academies Trust has a Data Protection Officer whose role is to support the Trust and its' Academies with data processing practices. The DPO can be contacted on 01782 987120 or [hkirkham@suatrust.co.uk](mailto:hkirkham@suatrust.co.uk).

The information you provide will be used in accordance with the Staffordshire University Academies Trust data protection policies can be found by accessing the Trust's website - <http://www.suatrust.co.uk/documents---policies>.

### **The personal data we process**

The personal information that the Academy collects regarding LAC Members will be utilised to meet our statutory duties and to fulfil our purpose as a public sector organisation.

We process data relating to those who hold the position of a LAC member. Personal data that we collect, use, store and when appropriate, share, about you includes but is not restricted to:

- Name, address, date of birth, contact telephone number and email address
- Role application details
- Employer / references (name and contact information)
- Time on and off site, CCTV, vehicle registration (whilst onsite)
- DBS number and date
- Identification
- Training and competency / skills matrix
- CPD (including course name, awards, date of attendance)
- Data relating to child protection and safeguarding incidents
- Governance information – business and pecuniary interests, section 128 check, role, start and end date, meeting attendance records, records of communications, a biography which may be published on the website, notes of meetings that you have attended
- Photograph (for Academy displays / website)

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):

- Data relating to disability
- Health data
- Demographic information required for monitoring equal opportunities
- Criminal data, provided as part of our recruitment process application

LAC Members' personal data will be sought from the data subject themselves. Third parties will be contacted to obtain LAC Members' personal data with the data subject's consent, unless the Academy has a legal basis for doing so. Referees may be contacted to obtain personal information in the form of references of the data subject, to enable the Academy to fulfil its' legal duty of safeguarding and form an assessment of suitability for the LAC member to fulfil a public sector governance position.

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

The personal information that the Academy collects regarding LAC members will be utilised to meet our statutory duties and fulfil our purpose as a public sector organisation, and in accordance with the Handbook of Good Governance. By providing such data you will be helping us to:

- Comply with safer recruitment practices and legal obligations to keep children safe in education;
- Enable you to work with us and enable you to take part in appropriate training and professional development;
- Ensure staff and children are safe in the workplace;
- Maintain security on the premises to safeguard staff and children;
- Meet health and safety obligations including ensuring that appropriate access arrangements can be provided for individuals who require them;
- Establish and maintain effective governance;
- Meet statutory obligations for publishing and sharing Local Academy Council member details;
- Support the operational functioning of the Academy under its requirement as a public body organisation;
- To keep you up to date with news about the Academy and the Trust.

LAC members will endeavour to gather information about the Academies at work by visiting them and talking with staff, pupils and parents. Clear protocols for visits will ensure that the purpose is understood by Academy staff and LAC Members alike. Alongside the information LAC members are given about the Academies, these protocols will help them to make informed decisions, ask searching questions and provide meaningful support.

It is therefore essential for safeguarding legislation to be adhered to in collecting personal information, for the purpose of commissioning suitable clearances to meet child protection obligations, and to aid key lines of communication to support children in the care of the Academies to achieve better outcomes.

Governance data is essential for the Academy's operational functions and whilst the majority of personal information you provide to us is mandatory, some of it may be requested on a voluntary basis. All Academy Trusts, under the [Academies Financial Handbook](#), have a legal duty to provide the below detailed governance information to enable the Academy to fulfil such functions.

The training and competency / skills matrix is important for the Academy to be able to identify link LAC member roles, establish the strengths of the LAC and offer CPD where it would be beneficial to do so. Business and pecuniary interests, section 128 checks, role, start and end date, meeting attendance records, records of communications, notes of meetings that you have attended are all essential governance functions which are required to be documented within an Academy setting.

The Academy collects information regarding LAC Members to adhere to safer recruitment requirements and safeguarding obligations under Section 175 of the Education Act 2002.

DBS data will be verified on appointment of each LAC member in accordance with the latest Keeping Children Safe in Education guidance. No copies of DBS certificates will be taken however verification of such checks will be recorded on the Academy's single central record.

With your consent, a photograph for Academy displays / website and a biography which may be published on the website to promote the LAC at each Academy setting.

CCTV recordings are used for public safety interests and the prevention and detection of crime. Recordings also provide enforcement agencies with evidence of criminal activity, for formal actions including prosecutions in court and identification of offenders in investigations. These recordings contain images of individuals utilising the Academy grounds / building and the legal basis for using the information you provide us is:

- For the interest of staff, pupil and public safety, the prevention and detection of crime, apprehension and prosecution of offenders and for legal proceedings
- The processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law

The CCTV database is used to record incidents that are actioned by designated staff with secure access to the system. This information can be used as an evidential log if needed for legal purposes, to internally investigate an accident or incident which may be shared with our governing body, as well as for the Staffordshire Police, Health and Safety Executive as required.

When you complete the data collection form for us, you will potentially be providing the Academy with data which is specified under the General Data Protection Regulation as Special Category Data, which is data that could be considered particularly sensitive. This includes information about disability, health and access requirements where applicable, to

ensure that appropriate access arrangements can be provided for LAC members who require them, to ensure that appropriate measures can be implemented to provide an accessible governance structure for all. This data will be verified prior to appointment at the Academy where a LAC member has particular health or access requirements that the Academy must support for the duration of the LAC member's term.

The Academy has Wi-Fi on site for use by LAC members and where the use of WiFi is required for the LAC member's visit, will provide the LAC member with the relevant login information.

Through use of the WiFi system the Academy requires LAC members to adhere to the Acceptable Use Policy. We record the device address and will also log traffic information in the form of sites visited, duration and date sent/received. The purpose for processing this information is to provide you with access to the internet whilst visiting our site and to protect our systems and network from cyber security risks associated with third party devices.

Where we require your consent for collecting data, this will be specified on the form for the request of data. 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 Academy's use of your data.

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

The data of LAC Members is essential for the Academy's operational use to facilitate safer recruitment practices and ensure that the successful candidate can be recruited into the role applied for. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with the 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 and we will tell you what you need to do if you do not want to share this information with us.

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 (Article 6(1)c)
- Carry out a task in the public interest (Article 6(1)e)
- Legitimate interest (Article 6(1)f)

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

- You have given us consent to use it in a certain way (Article 6(1)a)
- We need to protect your vital interests, or someone else's vital interests (Article 6(1)d)

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

We collect data which is specified under the UK General Data Protection Regulation as Special Category Data, known as data that could be considered particularly sensitive. This

means that, under the UK GDPR, we have obligations to keep this data secure and use it where:

- We have explicit consent (Article 9(a))
- Employment, social security and social protection (Article 9(b))
- Where we need to protect the vital interests of an individual (Article 9(c))
- We have a legitimate interest as a not for profit organisation (Article 9(d))
- For the safeguarding of children and individuals at risk (Paragraph 18, Schedule 1, Data Protection Act 2018)

### **How we store this data**

We hold data throughout your period of your term and in accordance with our data protection policies. Personal information that is no longer needed, or has become inaccurate or out of date, is disposed of securely. We will retain this file and delete the information in it in accordance with our Compliant Records Management Policy.

The Academy will not share your personal information with any third parties without your consent, unless the law allows us to do so. Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information.

### **Who we share information with:**

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

- Our local authority, Staffordshire County Council – to meet our legal duties to share certain information with it, such as governance, health and safety and financial purposes
- The Department for Education including via GIAS - for compliance with legal/statutory obligations in relation to the Academies Financial Handbook and code of conduct
- Agencies Clerking for the Trust Board and training providers – for compliance with legal/statutory obligations in relation to the Academies Financial Handbook and code of conduct and in order to fulfil our duties as a public sector organisation
- Governor Hub
- Your family - to support your health and welfare in the event of an emergency or ill health in school
- Ofsted
- Suppliers and service providers, including professional bodies, professional advisers and consultants – so that they can provide the services we have contracted them for.
- Our auditors – to ensure that we comply with finance, governance, data protection and health and safety
- Police forces, courts, tribunals – to ensure the Academy meets legal requirements
- Website and social media – where you have consented to the sharing of your information here
- Medical/Paramedic Services - Incidents relating to the safety of the building occupants requiring medical/paramedic/ambulance services

## Department for Education

The Department for Education collects personal data from educational settings and local authorities. We are required to share information about individuals in governance roles with the DfE in accordance with the requirements set out in the Academies Financial 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.

The governance data that we lawfully share with DfE via GIAS:

- Will increase the transparency of governance arrangements
- Will enable maintained schools and Academy Trusts 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 Department for Education including the data that we share with them, go to <https://www.gov.uk/government/news/national-database-of-governors>

**Note:** Some of these 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.

### How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's 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>

### Your rights

- Individuals have a right to make a 'subject access request' to gain access to personal information that the Academy holds about them. A request can be made to the Academy's Data Protection Representative, whose contact details can be found within this Privacy Notice. If you would like to make a request, please find a link to the information to the supporting information [here](#).

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

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 a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing

To exercise any of these rights, please contact our Data Protection Representative.

## **Complaints**

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

If you have any queries in relation to our processing, or think that our collection or use of personal information is unfair or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance by contacting our Data Protection Officer:

Email – [hkirkham@suatrust.co.uk](mailto:hkirkham@suatrust.co.uk)

Telephone – 01782 987120

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

## **Further information**

If you require further information about how we use your personal data, please visit our website, <https://www.charnwood.staffs.sch.uk>