

## Privacy Notice

(for governors/trustees and other volunteers)

Leading Edge Academies Partnership is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you before, during and after your relationship with us as a governor/trustee/member, in accordance with the General Data Protection Regulation (GDPR).

Leading Edge Academies Partnership ('Leading Edge') is a 'data controller'. This means we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

### Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
- Relevant to the purposes we have told you about and limited only to those purposes
- Accurate and kept up to date
- Kept only as long as necessary for the purposes we have told you about
- Kept securely

### The categories of governor information that we process include (but is not restricted to):

- Personal identifiers, contacts and characteristics (such as name, title, addresses, telephone numbers and personal email address)
- Governance details (such as role, start and end dates and governor ID)
- Information required as part of your application to become a governor/trustee (including copies of identity checks (including where Standard or Enhanced Disclosure and Barring Service Checks, Barred List Checks and disqualification checks, references and other information included in a CV, application form or cover letter form part of the application process)
- Date of birth
- Gender
- Business interests and pecuniary interests held by you or your family members
- Declaration of eligibility
- References
- Evidence of qualifications
- Employment details
- Information about other posts held by you
- Information about your conduct
- CCTV footage
- Information about your use of our information and communication systems
- Photographs
- Meeting attendance

We may also collect, store and use information about you that falls into 'special categories' of more sensitive personal data, which require a higher level of protection. This may include

information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions
- Information about your criminal records, fines and other similar judicial records
- Disability and access requirements

### **Why we collect and use governor/trustee information:**

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

We collect and use governor/trustee information for the following purposes:

- a) To meet the statutory duties placed upon us, including meeting our safeguarding obligations
- b) Establish and maintain effective governance

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

Under the General Data Protection Regulation (GDPR), the legal bases upon which we rely for processing personal information for general purposes are:

- For the purpose a) named above in accordance with the legal basis of **Legal Obligation**.
- For the purpose b) named above to carry out tasks in the public interest.

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

In addition, concerning any special category data:

- We will use information about your physical or mental health or disability status, to ensure your health and safety and to provide appropriate adjustments to comply with the Equality Act 2010.

### **Collecting governor/trustee information**

We collect personal information via eligibility forms, business interest declarations, governor/trustee contact forms, skills audits and training returns.

Governor/trustee data is essential for the operational use of Leading Edge. 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 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.

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 publicly 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 permitted to do so by law.

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

Under the terms of the Data Protection Act 2018, you are 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 are holding the information and any recipient it may be disclosed to

- for a copy of your personal data and any details of its source

If you wish 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 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>

### **Storing governor/trustee information**

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please use this link to the [Statutory Policies page on the Leading Edge website](#) and select Data Protection Policy.

Personal data is stored in accordance with our Data Protection Policy.

We maintain a file to store personal information about all governors/trustees. The information contained in this file is kept secure and is only used for purposes directly relevant to your work with Leading Edge.

When your relationship with Leading Edge has ended, we will retain and dispose of your personal information in accordance with our record retention schedule within our Data Protection Policy.

### **Sharing governor/trustee information**

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 third parties, including third-party service providers and other organisations.

In particular, we may share your data with organisations including, but not limited to the following:

- the Local Authority
- the Department for Education
- Companies House
- the Education & Skills Funding Agency
- the Diocese of Truro
- the Disclosure and Barring Service
- our external HR provider, for example, if you are involved in considering a disciplinary matter
- the Police or other law enforcement agencies
- our IT department
- our legal advisors/other external consultants
- website provider
- insurance providers

### **Local authority**

We are required to share information about our governors/trustees with our local authority (LA) under [Article 6 of the Data Protection Act 2018](#).

## Department for Education

The Department for Education (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](#).

For more information, please see 'How Government uses your data' section.

We are also required to share information about individuals in governance roles with the DfE under the requirements set out in the [Academies Financial Handbook](#).

We require third parties to respect the security of your data and treat it in accordance with the law. Some of the organisations referred to above are joint data controllers. This means we are all responsible to you for how we process your data.

### How the Government uses your data

The governor/trustee data that we lawfully share with the DfE via GIAS will:

- increase the transparency of governance arrangements
- 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
- allow 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

### Which third party service providers process your information?

'Third parties' includes third party service providers (including contractors and designated agents). The following activities are carried out by third party service providers:

- Payroll and Pensions

### How secure is your information with third party service providers?

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

### What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible academy conversion. We may also need to share your personal information with a regulator or to otherwise comply with the law.

From time to time, we may disclose your personal data in response to a request for information pursuant to the [Freedom of Information Act 2000](#) or following a data subject access request. We may approach you for your consent but, in any event, we will only disclose your personal data if we are satisfied that it is reasonable to do so in all the circumstances. This means we may refuse to disclose some or all of your personal data following receipt of such a request.

### 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 data protection law.

## **Requesting access to your personal data**

Under data protection legislation, you have the right to request access to the information we hold about you by making a [‘subject access request’](#). To make a request for your personal information, contact David Teasdale, Data Protection Officer on 01736 688441.

You also have the right to:

- ask us for access to information about you that we hold
- have your personal details 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 (ie 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 to 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 at <https://ico.org.uk/concerns/>.

For further information on how to request access to personal information held centrally by DfE, please see the ‘How Government uses your data’ section of this notice on page 4.

## **Withdrawal of consent and the right to lodge a complaint**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind or you are unhappy with our use of your personal data, please let us know by contacting Laura Sadler, Trust Governance Professional on 01736 688441.

## **Last updated**

We may need to update this privacy notice periodically and therefore recommend you revisit this information from time to time. This version was last updated January 2022.

## **Contact**

If you would like to discuss anything in this privacy notice, please contact either Laura Sadler, Trust Governance Professional or David Teasdale, Data Protection Officer on 01736 688441.