



St Cuthbert Mayne School

Privacy Notice - Governors

DPO Link:

Daneian Rees, St Cuthbert Mayne School, Torquay, TQ1 4RN. 01803 328725

Daneian Rees is the Data Controller for the use of personal data in this Privacy Notice

What do we collect and why do we need it?

- name
- home address
- email address
- telephone number
- skills
- previous and current employment
- disclosure and Barring Service information
- images (these may be captured during official school photos; class work; activities, performances or on school CCTV)
- allegations or concerns about child protection or safety
- facial photograph for use on identification badges
- date of appointment (or resignation)
- office held (chair or vice chair)
- category of governor (or clerk)
- Recording of remote learning may take place from time to time

We collect this information because we need to:

- Enable the development of a comprehensive picture of governance and how it is deployed
- Enable appropriate checks to be completed
- Enable individuals to be kept informed of governance training, book training and relevant information
- Inform relevant authorities
- Ensure compliance legally and with the school's Instrument of Governance

What are our legal bases for processing governance information?

Under the General Data Protection Regulation (GDPR), we rely on the following legal basis for processing this information:

- it is necessary for us to comply with a specific legal obligation
- it is necessary for us to perform a task carried out in the public interest or in the exercise of our official duties
- the data subject has given us their consent

We process this information under section 538 of the Education Act 1996. Governing boards must provide information they hold about their governors and governance arrangements to the Secretary of State for Education through Get Information About Schools, (GIAS).

Under The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2016 it is a requirement for all governors to have an enhanced DBS check. The Constitution of Governing Bodies of Maintained Schools Statutory Guidance, August 2017, stipulates that governor and associate member information is published on the school website; (name, category of governor, term of office, appointed by, any office held [such as chair, vice-chair, safeguarding lead], summary of relevant business interests, and attendance at meetings).

In addition, when we process 'special' data about our governance, we rely on one or more of the following legal bases as well, which are set out in Article 9 of the GDPR:

- the data subject has given us their explicit consent
- it is necessary for us to carry out our obligations and exercise our or the data subject's specific rights relating to employment, social security and social protection law
- processing is necessary to protect the vital interests of a person where the data subject is physically or legally incapable of giving consent
- it is necessary for the establishment, exercise or defence of a legal claim
- it is necessary for the assessment of the working capacity of an employee
- processing is necessary for reasons of substantial public interest

Other legal bases listed in Article 9 of the GDPR may also apply, depending on the processing required.

Collecting governance information

We collect personal information via induction forms which are collected and stored by the Clerk to the Governors.

Governance information 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 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 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 visit <https://www.st-cuthbertmayne.co.uk/>

Recording of remote learning may take place from time to time but where this does happen, parent/carer or student will be notified prior to the event taking place.

Who do we share our governance information with and why?

We routinely share this information with:

- Our local authority
- We are required to share information about our governors with the Department for Education (DfE) under [section 538 of the Education Act 1996](#). All data is entered manually on the Get Information About Schools (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 about the GIAS system, visit <https://www.get-information-schools.service.gov.uk/>
- Babcock South West
- Torbay Council

- School website (names, terms of office and pen portraits only)
- Disclosure and Barring Service
All maintained school governors are required to have an enhanced criminal records certificate from the DBS. Further details on DBS checks and Section 128 checks in schools are within the statutory guidance Keeping Children Safe in Education (KCSIE)

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

What are your data protection rights?

Under data protection legislation, you have the right to request information about you that we hold.

Your right of access

You have the right to ask us for copies of your personal data. There are some exemptions, which means you may not always receive all the information we process.

Your right to rectification

You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure

You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing

You have the right to ask us to restrict the processing of your information in certain circumstances.

Your right to object to processing

You have the right to object to us processing your information where we consider this is necessary for us to perform a task in the public interest. You can also object to us using your contact details to send you direct marketing or fundraising communications.

Your right to data portability

This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another or give it to you. The right only applies if we are processing information based on your consent or under a contract (or in talks about entering into a contract) and the processing is automated.

Your right to complain

We work to high standards when it comes to processing your personal information. We hope you will always be happy with the way we handle your information, however if we have not met your expectations, please let us know so we can put things right. To do this, please email the school at dane.rees@stcm.torbay.sch.uk. If you remain dissatisfied, you have the right to complain to the Information Commissioner's Office (ICO). The ICO's contact details are available at <https://ico.org.uk/concerns>

You are not required to pay a charge for exercising your rights and we have one month to respond to you.

Please email us at dane.rees@stcm.torbay.sch.uk if you would like to make a request or a complaint or contact the school office on 01803 328725.

Further information about your data protection rights can be found on the Information Commissioner's Office website at www.ico.org.uk/

If you have any queries about this privacy notice, or the way your personal information is being handled by the school, contact our Data Protection Officer Annette Henry via daneian.rees@stcm.torbay.sch.uk.

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 our Data Protection Officer Annette Henry via daneian.rees@stcm.torbay.sch.uk.

Last updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated on 21st October 2020.

Contact

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

- Our Data Protection Officer Annette Henry via daneian.rees@stcm.torbay.sch.uk
- Torbay Local Authority

Version	Change History	Date
1.0	Document created	21/10/2020
1.1	Document Edited	22/02/2021