

Privacy Notice - Governors and Trustees

The Extend Learning Academies Network (ELAN) is the Data Controller for the use of personal data in this privacy notice.

We process personal data relating to governors and trustees who support ELAN, whether in our schools or at Board level.

The categories of governance information that we collect, process, hold and share include:

- personal identifiers, contacts and characteristics (such as name, date of birth, addresses, contact details and postcode)
- special categories of data including characteristics information such as gender, age, ethnic group
- governance details (such as role, start and end dates and governor ID)
- appointment information, including copies of right to work documentation, references and other information included in a CV or covering letter or as part of the appointment process
- qualifications and employment records, including work history, job titles and professional memberships
- DBS Certificate number and date of issue, prohibition from teaching and management checks, disqualification from childcare declaration form
- records of attendance at governing body and sub-committee meetings
- records and outcomes of any disciplinary, complaints and/or grievance procedures or other performance issues
- specimen signatures/signed mandates for delegated financial authority
- photographs and videos of participation in ELAN schools' activities
- CCTV footage captured by ELAN CCTV systems
- vehicle details for those who use ELAN's car parking facilities.
- ELAN reserves the right to access the email account issued by ELAN, records and content of emails sent and received where it is necessary for legitimate business purposes, for the investigation of allegations of improper use or behaviour or to investigate alleged contraventions of any of the organisation's rules, regulations, policies and procedures, where it can be shown to be necessary and proportionate or purposes of crime prevention and detection.
- Where there is an identified business need, ELAN reserves the right to grant access to the email account issued by ELAN and files for a period of time after the leaving date. Access will normally be granted to appropriate designated individual.

Why we collect and use this information

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

We collect and use governance information to:

- meet the statutory duties placed upon us

- to contact you directly when you are not on the premises
- to contact others known to you, where you have provided their information, in cases where it would be reasonable for us to contact that individual
- facilitate safe appointment of trustees and governors, as part of our safeguarding obligations towards pupils
- enable ethnicity and disability monitoring and reporting
- make use of trustees and governors' names, including photographic images and videos of trustees and governors engaging in ELAN schools' activities, on displays within the schools, in schools' publications, on the schools' website and on the schools' social media channels (where appropriate);
- meet the legal requirements of the Charity Commission and Companies House
- ensure security of ELAN schools sites (such as visitor passes and issue of access fobs)

The lawful basis on which we process this information

We collect and use information under Article 6 and Article 9 of the GDPR. This enables the school to process information such as Departmental Censuses under the Education Act 1996 and other such data processes that relate to education provision or payment of the individual. We only collect and use personal information about you when the law allows us to.

Most commonly, we use it where we need to:

- fulfil a contract we have entered into with you
- comply with a legal obligation
- carry out a task in the public interest.

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

- you have given us consent to use it in a certain way
- we need to protect your vital interests (or someone else's interests)
- we have legitimate interests in processing the data.

To process special category data we need an additional lawful basis. We will process special category data most commonly where:

- we have your explicit consent
- the processing is necessary under social security or social protection law
- we are processing it in the vital interests of an individual
- we are providing health care or treatment under the responsibility of a health professional

ELAN also has a legal obligation under the Academy Trust Handbook to provide the governance information as detailed above.

Collecting governance information

We collect personal information via the recruitment and engagement processes associated with appointing governors and trustees.

Governance data is essential for ELAN's operational use. 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 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.

CCTV

Where CCTV systems are installed on our premises, these are for the purposes of public, pupil and staff safety, crime prevention and detection. Signs are displayed clearly explaining that CCTV is in operation and providing details of who to contact for further information.

We will only disclose CCTV images to others who intend to use the images for the purposes stated above. CCTV images will not be released to the media for entertainment purposes or placed on the internet. Images captured by CCTV will not be kept for longer than necessary.

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 see the Data Protection Policy.

Storing governance 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 see the Data Protection Policy.

Who we share workforce information with

We routinely share this information with:

- the local authority
- the Department for Education (DfE)
- Companies House
- Ofsted
- ELAN central team
- ELAN board members or trustees

Why we share school workforce information

We do not share information about our workforce members 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 governors with the local authority (LA) under our statutory responsibilities.

Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities. We are required to share information about individuals in governance roles with the (DfE) under the requirements set out in the Academy Trust 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.

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

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, you should contact the Data Protection Officer in the first instance.

Your rights include:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'.
- the right to ask us for copies of personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request or right of access request.
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'.
- the right to ask us to delete your personal information – this is called 'right to erasure'.
- the right to ask us to stop using your information – this is called 'right to restriction of processing'.
- the 'right to object to processing' of your information, in certain circumstances.
- rights in relation to automated decision making and profiling.
- the right to withdraw consent at any time (where relevant). · the right to complain to the Information Commissioner if you feel we have not used your information in the right way.

There are legitimate reasons why your information rights request may be refused. For example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent.

If you have a concern 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 raise a concern with ICO

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 to find out what personal information the Department for Education (DfE) hold about you

Under the terms of UK GDPR, 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, 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>

or

<https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

To contact the department: <https://www.gov.uk/contact-dfe>

Privacy notice review

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This privacy notice was last reviewed May 2024.

Contact

If you would like to discuss anything in this privacy notice, please contact HR@extendlearning.org

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