PRIVACY NOTICE – Individuals in Governance Roles

INTRODUCTION

Heathfield Community College is a 'data controller' for the purposes of the Data Protection Act (2018) & UK GDPR as amended by the Data Use & Access Act 2025.

We ensure that your personal information is:

- processed legally
- processed fairly
- correct
- stored safely
- kept for no longer than needed (see our retention schedule on the College website http://www.heathfieldcc.co.uk/?page_id=1595711)

This document describes:

- why we collect data about you
- what data we collect
- what we do with the data we collect
- what your rights are.

WHY DO WE COLLECT AND USE INFORMATION ABOUT INDIVIDUALS IN GOVERNANCE ROLES?

We collect and store information about individuals in governance roles to:

- establish and maintain effective school governance
- meet our legal obligations to publish and share individuals in governance roles' details
- facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- identify you and safely evacuate the school in the event of an emergency
- undertake equalities monitoring
- ensure that appropriate access arrangements can be provided for governors who require them
- Preserve the College's history and collective memory

THE LAWFUL BASIS ON WHICH WE PROCESS THIS INFORMATION

The lawful basis on which we process this information under section 538 of the Education Act 1996 and to:

- perform tasks in the public interest ie the provision of education (UK GDPR Article 6 (1))
- meet our legal obligations (UK GDPR Article 6 (1))
- meet the requirements of a contract (UK GDPR Article 6 (1))
- protect the vital interests of the Governor/volunteer (UK GDPR Article 6 (1))
- perform tasks that are in the substantial public interest for the processing of special category data (UK GDPR Article 9 (2))
- comply with your consent for the processing of personal data and your explicit consent for the processing of special category data. If we need your consent, we will let you know. (UK GDPR Article 6 (1) & Article 9 (2))
- maintain "public health", for example during a pandemic (UK GDPR Article 9 (2))

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.

We collect personal information via our contact form for individuals in governance roles. Data about individuals in governance roles 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 the Data Protection Act 2018, 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.

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Please see the College's Special Category Data policy for more information about how we process this type of data. This policy can be found on the College Data Protection page at: http://www.heathfieldcc.co.uk/?page_id=1595711

All maintained school governing bodies, under section 538 of the Education Act 1996 and academy trusts, under the Academies Trust Handbook have a legal duty to provide the governance information as detailed below.

Where we keep records and information containing personal data for a longer time, we do this for archiving purposes in the public interest. We keep these records to preserve the school's history, key events and collective memory. We will provide access to these records for research or statistical purposes, taking reasonable measures to protect the personal data they may contain.

WHAT INFORMATION DO WE COLLECT ABOUT INDIVIDUALS IN GOVERNANCE ROLES?

We collect and store the following information about Individuals in Governance Roles: name; date of birth; address; e-mail address; & contact telephone number(s), digital images, references, documents to support an Enhanced Disclosure and Barring Service application, evidence of academic qualifications, employment details, information about business & pecuniary interests, data about your use of or access to the schools' information; governance details, such as role, start and end dates, training received and governor ID; communication systems and special categories of data including characteristics information such as gender, age, ethnic group disability/access requirements or other medical information; and to ensure you are kept safe whilst on site we ask for information about any allergies that you might have.. Whilst on site your image may be recorded on our CCTV.

WHAT DO WE USE DIGITAL STILL AND VIDEO IMAGES OF INDIVIDUALS IN GOVERNANCE ROLES FOR?

We will never use an image of an individual in a governance role if we do not have permission to do so OR if we believe that doing so will lead to any kind of harm. Images of individuals in governance roles are used on the College website so that parents and pupils know more about the individuals tasked with the responsibilities overseeing the running of the College.

HOW DO WE STORE YOUR DATA AND FOR HOW LONG?

Your data is stored securely in line with our policies on data protection and online safety and IT security. We keep your data only for as long as we need to process it. The document that guides for how long we keep specific types of data is called our retention schedule. The retention schedule can be found on the data protection page of the College website: http://www.heathfieldcc.co.uk/?page_id=1595711 . We are legally obliged to keep certain data on individuals in governance roles indefinitely. Whilst you are a Governor we will use cloud based storage services via Governor Hub in order to store some of data. The retention schedule details how long data will be held in Governor Hub cloud storage.

We will keep a limited and reasonable amount of personal information for a longer time than otherwise specified, where it appears in records that are of historic value or it is in the public interest to keep as part of the school's history and collective memory. We store these records securely in our school archive for permanent preservation. / We transfer these records to the local archive at East Sussex and Brighton and Hove Record Office (based at The Keep) for permanent preservation.

DO WE SHARE INFORMATION ABOUT INDIVIDUALS IN GOVERNANCE ROLES AND WHY DO WE DO SO?

We may use Artificial Intelligence (AI) tools to help us work more efficiently with your personal

data. When we do so, we only use those tools that do not include the user inputs as part of their learning processes. In all other circumstances, we will not give information about individuals in governance roles to anyone outside the school without their consent unless required by law to do so. The reasons why we have to share data about individuals in governance roles are listed in Appendix A. We only share data with organisations who have adequate security measures and protections in place.

TRANSFERRING DATA INTERNATIONALLY

We do not store or transfer your data outside of the College apart from when using our management information system (Arbor) or UNLESS you use email to contact us OR we use AI enhanced tools to process your data. In the latter case the data will be temporarily transferred to the USA before being deleted by the AI tool. All incoming emails are received by us after having been transferred to a malicious email filtering system that may involve a temporary transfer of all emails outside of the UK and EEA. We do this to reduce the risk of the College IT systems being attacked by malicious outside forces. Where information is stored, even temporarily, outside of the UK we also ensure that that personal data is protected in the same way that it is in UK law.

WHAT ARE YOUR RIGHTS?

The following rights sometimes don't apply, for example if a law says we need to keep specific pieces of information, or if not processing the data places a student in danger. Your rights are:

- **The right of access**. This means you can ask for a copy of the data we hold about you. See the contact details below. We will comply within ONE calendar month
- **The right to be informed.** This means that we will tell you when we are collecting data about you.
- **The right to rectification**. This means you can ask us to fix mistakes and omissions
- **The right to erasure**. This means that you have the right to have data we hold deleted unless we have to hold that data for another legal reason
- **The right to restrict processing**. This means we can hold the data, but can't use it
- **The right to object**. You can object to processing of personal data under certain circumstances. The address to contact to withdraw consent is as below.

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.

HOW GOVERNMENT USES YOUR DATA

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

- will increase the transparency of governance arrangements
- will enable local authority maintained schools, academies, academy trusts and the Department for Education (DfE) 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 publicly available and are encrypted within the GIAS system. Access is restricted to authorised Department for Education (DfE) and education establishment users with a Department for Education (DfE) Sign-in (DSI) account 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 for Education (DfE) 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'. See the guide for details:

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

Further information on what personal information the Department for Education (DfE) holds about you is published in the privacy notice below:

https://www.gov.uk/government/publications/privacy-information-education-providers-workforce-including-teachers

To contact DfE: https://www.gov.uk/contact-dfe

HEATHFIELD COMMUNITY COLLEGE DATA PROTECTION OFFICER CONTACT INFORMATION

Data Protection Officer contact details: Sarah Oxenbury, Children's Services, East Sussex County Council. Schools.dpo@estsussex.gov.uk

REQUESTING ACCESS TO YOUR PERSONAL DATA

In the first instance, you should **contact the Data Protection Lead** in writing at the address below. Subject access and other information requests should be made on the appropriate form and you will need to provide appropriate identification. Forms and guidance can be found on the Data Protection page of the College website - here.

If you wish to contact us by email, please email DataProtection@heathfieldcc.co.uk . Please DO NOT contact the main office email address as we cannot guarantee your email will reach its intended destination in a timely way.

The Head Teacher / Data Protection Lead
Heathfield Community College
Cade St
Heathfield
East Sussex
TN21 8RJ
Tel: 01435 866066

If you have a concern about the way we are collecting or using your data, please contact us in the first instance or directly to the Information Commissioner's Office at https://ico.org.uk/concerns/ .

Appendix A: reasons why we share data about individuals in governance roles

We may share information about individuals in governance roles with:

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- **Department for Education** – The Department for Education (DfE) collects personal data from schools and local authorities. We have a legal obligation to do so under section 538 of the Education Act 1996. All data is entered manually on the GIAS system and held by DfE using software and hardware controls which meet the current government security policy framework.
- **Edubase** (who make some data publically available). This is a part of legal requirement to share information with the DfE. 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 the National Individuals in Governance Roles Database. **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.
  This includes:
  - full name (including title)
  - appointing body (e.g. board, foundation, parents etc.) & date of appointment
  - date term of office ends / ended if in last year
  - whether they are the chair of individuals in governance roles or a member of the governing body
  - Edubase collects, but doesn't publish, data to help them to identify specific individuals, for example, postcode & direct email address for the chair.
- **East Sussex County Council** (the local authority). We share information with Governor services to provide training and support materials for our Individuals in Governance Roles.
- **National Governance Association**. This is a charity that provides advice and support for individuals in governance roles. You can access the services they provide. We will only share your details with the National Governance Association with your consent.
- **Ofsted**
- **Suppliers and service providers** – to enable them to provide the service we have contracted them for, such as governor clerk
- **Traded services** - purchased through the LA (e.g. for Legal, Human Resources or Information Governance Support)
- **Other Individuals in Governance Roles**. We do this in order to promote co-operation between members of the Governing Body, however we will only share your details this way with your consent.