



The Winterton Federation Privacy Notice for Governors



Privacy Notice Published October 2024

The categories of governance information that we process include:

- personal identifiers, contacts and characteristics (such as name, date of birth, contact details and postcode);
- governance details (such as role, start and end dates and governor ID);
- DBS disclosure record, including DBS certificate number;
- register of any pecuniary interests or conflicts of interests;
- a record of attendance at Governing Board meetings and training records.

Why we collect and use governance information

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

We collect and use governance information to meet the statutory duties placed upon us. Under UK General Data Protection Regulation (UK-GDPR) 2018, the legal bases we rely on for processing personal information for general purposes are:

- Article 6 (1) (c) - *processing is necessary for compliance with a legal obligation to which the controller is subject;*
- Article 6 (1) (e) - *processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.*

All local authority maintained school governing bodies, under section 538 of the Education Act 1996 have a legal duty to provide the governance information as detailed above.

In addition, concerning any special category data we rely on:

- Article 9 (2) (a) - *the data subject has given explicit consent to the processing of those personal data for one or more specified purposes;*
- Article 9 (2) (c) - *to protect the vital interests of the individual.*

Collecting governance information

We collect personal information via governor services and DBS certificates.

Governance roles data is essential for the federation'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 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.

Storing governor information

We hold governor data securely for the set amount of time shown in our data retention schedule. We have adopted the Information and Records Management Society (IRMS) recommendations as our data retention schedule.



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Who we share governance information with

We routinely share this information with:

- our local authority;
- the Department for Education (DfE).

We are required to share information about our governors with our local authority on a statutory basis to:

- ensure openness and transparency in our governance structures;
- avoiding conflict of interest for the purpose of financial accountability;
- conduct work in accordance with the Nolan principles of public life;
- enable governors to access training opportunities;
- enable governing board development.

Department for Education (DfE)

The DfE collects personal data from educational providers and local authorities. We are required to share information about individuals in governance roles with the DfE under section 538 of the Education Act 1996.

Requesting access to your personal data

The UK-GDPR gives you certain rights about how your information is collected and used. To make a request for your personal information, contact Mrs Cheryl Baxter - sbm.wintertonfederation@northlincs.gov.uk or Mr Tim Pinto at The E-Safety Office Ltd - tpinto@esafetyoffice.co.uk

You also have the following rights:

- 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 ratification';
- 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 or 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 we may refuse your information rights request, which depends on why we are processing it, 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;



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- 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 do not 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.

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

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 your consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the Executive Headteacher.

Contact

If you would like to discuss anything in this privacy notice, please contact Mrs Cheryl Baxter (Business Manager).

How government uses your data

The governance data that we lawfully share with the DfE via Get Information About Schools (GIAS):

- increases the transparency of governance arrangements;
- enables local authority maintained schools, academies, academy trusts and the DfE to identify more quickly and accurately, individuals who are involved in governance and who govern in more than one context;
- allows the DfE to be able to uniquely identify and 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 DfE, including the data that we share with them, go to <https://www.gov.uk/government/news/national-database-of-governors>

Some of these personal data items are not publicly available and are encrypted within the GIAS system. Access is restricted to authorised DfE and education establishments users with a 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 DfE unless the law allows it.

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

Under the terms of the Data Protection Act 2018, you are entitled to ask the DfE:

- if they are processing your personal data;
- for a description of the data that they hold about you;
- the reasons they are holding it and any recipient it may be disclosed to;
- for a copy of your personal data and any details of its source.



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If you want to see the personal data held about you by the DfE, you should make a Subject Access Request. Further information on how to do this can be found within the DfE'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 DfE: <https://www.gov.uk/contact-dfe>