



Fairburn View Primary School

Governors Privacy Notice

November 2024

Review Date: November 2026

GOVERNOR'S PRIVACY NOTICE

Fairburn View Primary School 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, in accordance with the United Kingdom General Data Protection Regulation (UK-GDPR).

Fairburn View Primary School is a "data controller". This means that 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 type of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection. We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Date of birth
- Gender
- Occupation
- Start date
- Skills and experience

- Information acquired as part of your application to become a governor (including copies of identity checks (including, where Standard or Enhanced Disclosure and Barring Service Checks, Barred Lists Checks, and disqualification checks, information about bankruptcy, references and other information included in a CV, application form or cover letter or as part of the application process)
- Information about pecuniary or business held by you or your family members
- Information about other posts held by you
- Information about your conduct
- CCTV footage
- Information about your use of our information and communications systems
- Photographs

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about your race or ethnicity or religious beliefs
- Information about your criminal records, fines and other similar judicial records

How is your personal information collected?

We collect personal information about governors through the application and recruitment process, either directly from individuals, the Local Authority or the any other body

We will also collect additional personal information in the course of governor activities throughout the term of your appointment.

How we will use information about you

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- (a) Where we need to comply with a legal obligation
- (b) Where we need to protect your interests (or someone else’s interests)
- (c) Where it is needed in the public interest or for official purposes
- (d) Where we have your consent.

Situations in which we will use your personal information

The situations in which we will process your personal information are listed below.

- Making a decision about whether to appoint you as a governor
- Dealing with any processes for the election of governors
- Checking your suitability to be a governor

- Complying with our general safeguarding obligations
- Providing information on our website about our governors
- Providing information on any online databases to set out our governance arrangements
- Communicating with stakeholders about the school
- Business management, administrative and planning purposes, including accounting and auditing
- Financial information such as expenses claimed
- Responding to complaints or investigations from stakeholders or our regulators
- Sending you communications connected with your role as a governor
- Making decisions about your continued appointment as a governor
- Making arrangements for the termination of your appointment
- Education, training and development requirements
- For the purposes of carrying out governance reviews
- Dealing with legal disputes involving you or other stakeholders
- Complying with health and safety obligations
- For the purposes of keeping records about governor decision-making processes, including copies of minutes, reports and other documentation
- Where you sit on a committee or a panel on a school matter we may process your name, opinions, comments and decisions attributed to you, for example, if you sit on a panel for the purposes of considering a complaint, exclusion or HR issue
- To monitor your use of our information and communication systems to ensure compliance with our IT policies
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution
- To maintain and promote equality
- To comply with requirements of the Diocese of Westminster to share personal data about governors to the extent that they require it to fulfil their functions –
- To receive advice from external advisors and consultants
- In appropriate circumstances to liaise with regulatory bodies, the Department for Education, the DBS and the Local Authority about your suitability to be a governor or in connection with other regulatory matters

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

In addition, the School also uses CCTV cameras around the school site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or investigate other issues. CCTV footage involving governors will only be processed to the extent that it is lawful to do so. Please see our CCTV policy for more details.

If you fail to provide personal information

If you fail to provide certain information when requested, we may be prevented from complying with our legal obligations (such as to discharge our safeguarding obligations) or we may be unable to discharge our obligations which may be in the public interest or for official purposes.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

How we use particularly sensitive personal information

“Special categories” of particularly sensitive personal information require us to ensure higher levels of data protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- (e) In limited circumstances, with your explicit written consent.
- (f) Where we need to carry out our legal obligations and in line with our data protection policy.
- (g) Where it is needed in the public interest and in line with our data protection policy.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

Our obligations

We will use your particularly sensitive personal information in the following ways:

- 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.
- the religious beliefs of some governors will be processed to assess their suitability to be appointed to and maintain certain governance positions, for example, Foundation Governors.

Do we need your consent?

We do not need your consent if we use your particularly sensitive information in accordance with our written policy where processing is necessary:

- for the establishment, exercise or defence of legal claims or whenever courts are acting in

their judicial capacity;

- for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, where we respect the essence of the right to data protection and where we provide for suitable and specific measures to safeguard your fundamental rights.

In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

Information about criminal convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We envisage that we will hold information about criminal convictions, for example, if information about criminal convictions comes to light as a result of our appointment and Disclosure and Barring Service checks, or if information about criminal convictions comes to light during your time as a governor.

Data sharing

We may have to share your data 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
- the Education & Skills Funding Agency
- 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 provider
- our legal advisors / other external consultants
- insurance providers / the Risk Protection Arrangement

We require third parties to respect the security of your data and to 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.

Why might we share your personal information with third parties?

We will share your personal information with third parties where required by law, where it is needed in the public interest or for official purposes or where we have your consent.

Which third-party service providers process your personal information?

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

Arbor Information Management System
Inventry – access management system

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 that we may refuse to disclose some or all of your personal data following receipt of such a request.

Data protection officer

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO, Tim Pinto (07595302684 or by e-mail at: tpinto@esafetyoffice.co.uk). You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.