



## Smart Multi-Academy Trust

### Privacy Notice for Governors and Trustees

#### The categories of governor and trustee information that we process include:

- personal identifiers, characteristics (such as name, date of birth), contact information (such as address, email address, phone number)
- governance details (such as role, start and end dates and governor ID)
- Information relating to safeguarding (DBS checks)
- Skills, training and CPD information

#### Why we collect and use governor/trustee information

The Academy Trust is the data controller of the personal information you provide to us. This means they determine the purposes for which, and the manner in which, any personal data relating to staff is to be processed. The lead contact for GDPR in each school is the Head Teacher. The Data Protection Officer for Smart Multi-Academy can be contacted at:

DPO@smartacademies.net

The Academy Trust has the legal right, and legitimate interest to collect and process personal data relating to governors and trustees who work with the Academy Trust. We collect and use governor information, for the following purposes:

- a) to meet the statutory duties placed upon us
- b) to meet safeguarding requirements (including DBS checks, section 128 check)
- c) to assist in the running of the Academy Trust
- d) to assess governor skills
- e) Training/CPD

Under the General Data Protection Regulation (GDPR), the legal bases we rely on for processing personal information for general purposes are:

- The Academy Trust's Funding Agreement with the Department for Education
- The Academy's legal framework- Academies Act 2010, Charities Act 2011 and Companies Act 2006 and Education Act 2011
- Safeguarding Vulnerable Groups Act 2006 and Keeping Children Safe in Education 2018 regulations and barred list and prohibition checks.
- The Childcare (Disqualification) Regulations 2009
- for the purpose a) named above in accordance with the legal basis of Legal Obligation

All maintained school governing bodies, under [section 538 of the Education Act 1996](#) and academy trusts, under the [Academies Financial Handbook](#) have a legal duty to provide the governance information as detailed above.

## Collecting governor/trustee information

The Trust collects personal information via both paper based and secure electronic forms.

Governor/trustee data is essential for the school's and Trusts 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.

## Storing governor information

We hold data securely for the set amount of time shown in our data retention schedule contained within the Trust's Information Management Policy. For more information on our data retention schedule and how we keep your data safe, please request a copy of the Trusts Information Management Policy.

All governor and trustee information is stored securely in within the Academy Trusts IT networks and with North Tyneside Local Authority who provide the Academy trusts clerking service.

## Who we share governor/trustee information with

We routinely share this information with:

- our local authority
- North Tyneside Local Authority (who supply the Trust's clerking service)
- the Department for Education (DfE)
- school and Smart central support staff.

## Why we share governor/trustee information

We do not share information about our governors/trustees with anyone without consent unless the law and our policies allow us to do so.

Where necessary, third parties may be responsible for processing of governor and trustee personal information. Where this is required, the Academy Trust places data protection requirements on third party processors to ensure data is processed in line with governor and trustee privacy rights. Where information needs to be shared and the Trust does not have a legal basis for this processing, governors/trustees will be contacted to provide consent.

## Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities. We are required to share information about our governors with the Department for Education (DfE), under:

- Completion of the Get Information About School (GIAS) system

We are required to share information about our governors with the Department for Education (DfE) under [section 538 of the Education Act 1996](#)

We are required to share information about our governors/trustees with the (DfE) under the requirements set out in the [Academies Financial Handbook](#)

All data is entered manually on the Get Information About School (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, please see 'How Government uses your data' section.

## 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, contact [dpo@smartacademies.net](mailto:dpo@smartacademies.net).

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern or complaint 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 <https://ico.org.uk/concerns/>

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.

## 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 [dpo@smartacademies.net](mailto:dpo@smartacademies.net)

## 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 24<sup>th</sup> April 2019.

## Contact

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

[DPO@smartacademies.net](mailto:DPO@smartacademies.net)

## How Government uses your data

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

- will increase the transparency of governance arrangements
- will enable schools and the department 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 publically available and are encrypted within the Get Information About School (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.

## 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'. 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>

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

## Notes

Approved by the Finance and Audit Committee 24/04/2019