

Privacy Notice – for Brigshaw Learning Partnership governors, trustees directors, members and other volunteers

Under data protection law individuals have a right to be informed about how the trust uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals who work with the BLP in a voluntary capacity including: governors, trustees, directors and members.

We, The Brigshaw Learning Partnership are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is Mrs Wendy Harrington (see 'Contact us' below).

The personal data we hold

The categories of personal data that we may collect, use, store and share (when appropriate under GDPR) about you includes, but is not restricted to:

- Personal information (such as name, family information)
- Contact details
- Characteristics information (such as gender)
- Car registration
- Next of kin and emergency contact numbers
- Qualifications
- References
- Vetting information
- Employment details including work history, job titles and professional memberships
- Work related qualifications such as chartered status and health and safety courses undertaken
- Information about business and pecuniary interests
- Copy of driving licence
- Copy of passport
- Photographs

Under Article 9 of the GDPR, we may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs and political opinions
- Health, including medical/disabilities information and access requirements
- CCTV footage captured in school
- Meeting recordings

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

Why we use this data

The purpose of processing this data is to support the trust to:

- Enable you to be paid expenses if applicable
- Facilitate safe governor appointment, as part of our safeguarding obligations towards pupils
- Enable ethnicity, disability and other equality monitoring
- Ensure we are providing a safe working environment with appropriately qualified governors
- Manage and protect public monies effectively
- Establish and maintain effective governance
- Assess the quality of our governance
- Comply with the law regarding education
- Promote and report on our governance to our pupils, families and other stakeholders.
- Meet statutory obligations for publishing and sharing governors, trustees and directors' details
- Ensure that appropriate access arrangements can be provided for volunteers who require them
- Administer Governor meetings, including producing paperwork and minute taking
- Arrange Governor training
- Provide advice on legislation to Governing Bodies
- Handle parent complaints and enquiries
- Manage pupil exclusions and related complaints
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Manage pupil exclusions and related complaints
- To manage our data breach procedures
- To manage our Disaster Recovery and Response procedures
- To meet our public health obligations

Our lawful basis for using this data

The main law statutes applicable are:

- The School Governance (Role, Procedures and Allowances) (England) Regulations 2013.
- School Governance (Constitution) (England) Regulations 2012 or the School Governance (Federations) (England) Regulations 2012.
- Requirements of the Education Act 1996, 2002 and 2011
- Article 6 of the new GDPR laws, provide some of the underpinning purposes for schools' data collection
- Statutory guidance such as Keeping Children Safe in Education and DfE coronavirus guidance

Most commonly, we use data where we need to:

- Fulfil a contract we have entered into with companies you have an interest in (Article 6(1)(b))
- Comply with a legal obligation (Article 6(1)(c))
- Carry out a task in the public interest controller (Article 6(1)(e)).

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)

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.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

Our basis for using special category data

For 'special category' and criminal offence data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

Collecting this information

We collect information from you on governor application forms, register of interests etc. While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals

How we store this data

The information you provide is kept secure and is only used for purposes directly relevant to your governance role. Some information such as attendance at governor meetings, is made publicly available on our website.

Once your role with us has ended, we will retain information on our website for 12 months. Minutes from governor meetings will be kept in accordance with our Record Retention and Data Handling Policy. A copy of these and all school policies can be found on the google drive. Paper copies can be requested from the Data Protection Officer.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

Data sharing

We share personal data with the Department for Education (DfE) on a statutory basis.

In some cases, your data will be outsourced to a third party processor who provides a service to us. Where we share information about you with any third party, we will ensure the same data protection standards that the school upholds are imposed on the processor. We will check that organisations comply with GDPR strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

We will not, without your express consent provide your personal information to any third parties for the purpose of direct marketing. We may send you marketing information by email or text promoting **trust** events that may be of interest to you.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

- *Our Local Authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns, details of governors and DBS checks*
- *Other directors, governors and members of the BLP to meet our legal obligations for such things as information about headteacher performance and staff dismissals*
- *The Department for Education*
- *Your family or representatives in an emergency situation*
- *Ofsted*
- *Suppliers, software and service providers – to enable them to provide the service we have contracted them for, such as payment of expenses or governor support*
- *Financial organisations*
- *Central and local government - to meet our legal obligations to share certain information with it, such as details of governors*

- *Our auditors*
- *Hearings and tribunals*
- *Trade unions and associations*
- *Security organisations*
- *Charities and voluntary organisations*
- *Police forces, courts, tribunals*
- *Prospective employers requesting a reference*
- *Educational trip management software*
- *PFI companies (in schools managed by Pinnacle)*
- *CPD providers*
- *School photographers*
- *Other schools we collaborate with. For example, Royds and Temple Moor to enable us to provide our sixth form provision*
- *Schools ICT to provide back-up computer services*
- *Our HR providers where you assist in our recruitment procedures*
- *Other professional advisors and consultants*
- *Our insurance brokers and companies who insure our activities, buildings and persons using the premises*
- *NHS services such as A&E and Test and Trace*
- *The National Governors Association and The Key for School Governors in order for them to provide governance advice and information*

Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Your rights

How to access personal information we hold about you

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

If you make a subject access request, and if we do hold information about you, you can request us to:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our Data Protection Officer.

Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our Data Protection Officer.

Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

You may also wish to refer to our whistleblowing policy, copies of this can be found on our websites.

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer (DPO):

- Wendy Harrington: DPO@brigshawtrust.com

The DPO role is to oversee and monitor the school's data protection procedures, and to ensure they are compliant with the GDPR. If you feel your school's data procedures are not fully compliant in any way, please contact the DPO to discuss the matter.

Privacy Policy Changes

Although most changes are likely to be minor, the Brigshaw Learning Partnership may change its Privacy Policy from time to time, and in the Brigshaw Learning Partnership's sole discretion.

Brigshaw Learning Partnership (BLP)

Brigshaw Learning Partnership is the data controller for your school. The BLP can be contacted at: Brigshaw High School, Brigshaw Lane, Allerton Bywater, Castleford, WF10 2HR Tel: 0113 2878900