

Privacy Notice for LAC Members

Personal data

Westlands Primary School is committed to protecting the privacy and rights of anyone who chooses to share their personal data with us. Under data protection law, individuals have a right to be informed about how we use the personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called fair processing notices) to individuals where we are processing their personal data. Individuals can find out more information about data protection laws, and specifically the UK GDPR, [here](#).

This privacy notice explains what personal information the Academy collects and holds about LAC Members. It explains why we hold this information, what we do with it, how long we keep it for and if we share it with third parties.

The Academy is the Data Controller for the personal information you provide to us. This means that we determine the purposes for which, and the manner in which, any personal data relating to LAC Members is to be processed in order to comply with legal obligations and legitimate interests (in accordance with Article 6 of the GDPR) as a public sector organisation. The personal data collected is essential, in order for the Academy to fulfil its official functions.

A data protection representative for the Academy, Jon Taylor, can be contacted on 01782 973790 or headteacher@westlands.staffs.sch.uk in the first instance for any queries in relation to the processing of your personal data.

Staffordshire University Academies Trust has a Data Protection Officer whose role is to support the Trust and its' Academies with data processing practices. The DPO can be contacted on 01782 987120 or dpo@suatrust.co.uk.

The information you provide will be used in accordance with the Staffordshire University Academies Trust data protection policies can be found by accessing the Trust's website - <http://www.suatrust.co.uk/documents---policies>. Please note that this privacy notice may be updated at any time.

The personal data that we store and use

The personal information that the Trust collects regarding LAC Members will be utilised to meet our statutory duties and to fulfil our purpose as a public sector organisation. We process data relating to those who hold the position of a LAC Member. Personal data that we collect, use, store and when appropriate, share, about you includes but is not restricted to:

- Name, address, date of birth, contact telephone number and email address
- Role application details
- Employer / references (name and contact information)
- DBS number and date
- Identification
- Training and competency / skills matrix

- CPD (including course name, awards, date of attendance)
- Data relating to child protection and safeguarding incidents
- Governance information – business and pecuniary interests, section 128 check, role, start and end date, meeting attendance records, records of communications, a biography which may be published on the website, notes of meetings that you have attended
- Photograph (for the website and displays)
- Vehicle registration
- Time on and off site, vehicle registration (whilst onsite)
- Monitoring data about your use of the Academy's information and communications system

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):

- Data relating to disability and health data (to support with any access arrangements)
- Demographic information required for monitoring equal opportunities e.g. data relating to ethnicity and religion
- Criminal data, provided as part of our recruitment process application

It is essential for safeguarding legislation to be adhered to in collecting personal information, for the purpose of commissioning suitable clearances to meet child protection obligations, and to aid key lines of communication to support children in the care of the Academies to achieve better outcomes. The Academy collects information regarding LAC Members to adhere to safer recruitment requirements and safeguarding obligations.

DBS data will be verified on appointment of each LAC Member, in accordance with the latest Keeping Children Safe in Education guidance. No copies of DBS certificates will be taken however verification of such checks will be recorded on the single central record using the SCR Online, cloud-based system, including name, date of birth, address and email, alongside completed checks (identity, Children's Barred List Check, S128, qualifications, if required, right to work).

Governance data is essential for the Academy's operational functions and whilst the majority of personal information you provide to us is mandatory, some of it may be requested on a voluntary basis. All Academy Trusts, under the [Academy Trust Handbook](#), have a legal duty to provide the below detailed governance information to enable the Trust to fulfil such functions.

Business and pecuniary interests, section 128 checks, role, start and end date, meeting attendance records, records of communications, training records, notes of meetings that you have attended are all essential governance functions which are required to be documented within the Trust.

Training and competency / skills information is important for the Trust to be able to identify committee membership, key governance roles, establish the strengths of the Board and offer governance CPD where it would be beneficial to do so.

With your consent, a photograph for the website, and a biography, may be published on the website.

When you complete data collection / appointment forms for the Academy, you will potentially be providing the Academy with data which is specified under the General Data Protection Regulation as Special Category Data, which is data that could be considered particularly sensitive. This includes information about disability, health and access requirements where applicable, to ensure that appropriate access arrangements can be provided for LAC Members who require them, to ensure that appropriate measures can be implemented to provide an accessible governance structure for all. This data will be verified prior to appointment at the Trust where a LAC Member has particular health or access requirements that the Trust must support for the duration of the LAC Member's term.

The Academy has Wi-Fi on site for use by LAC members. Where the use of WiFi is required for the LAC member's visit, the Academy will provide the LAC member with the relevant login information.

Through use of the WiFi system the Academy requires LAC members to adhere to the Acceptable Use Policy. We record the device address and will also log traffic information in the form of sites visited, duration and date sent/received. The purpose for processing this information is to provide you with access to the internet whilst visiting our site and to protect our systems and network from cyber security risks associated with third party devices.

Vehicle registration information may also be requested to enable the Academy to identify users of the car park and ensure the legitimacy of the use of the car park to help prevent accidents and incidents relating to parking, ensure sufficient parking spaces and ensure those who are authorised to access the car park, can.

The Academy collates information about LAC member emergency contacts. It is the responsibility of the LAC member to obtain consent from their emergency contact to provide this information. The Academy may share personal information about the LAC member with their emergency contact and the medical services where there is an accident or incident requiring urgent response/medical care.

The Academy may collate information about LAC Member emergency contacts. It is the responsibility of the LAC Member to obtain consent from their emergency contact to provide this information. The Academy may share personal information about the LAC Member with their emergency contact and the medical services where there is an accident or incident requiring urgent response/medical care. The Trust is required to report any accidents / incidents to the Health and Safety Executive in accordance with legal obligations under RIDDOR 2013.

CCTV recordings are used for public safety interests and the prevention and detection of crime. Recordings also provide enforcement agencies with evidence of criminal activity, for formal actions including prosecutions in court and identification of offenders in investigations. These recordings contain images of individuals utilising the Academy grounds / building and the legal basis for using the information you provide us is:

- For the interest of staff, pupil and public safety, the prevention and detection of crime, apprehension and prosecution of offenders and for legal proceedings
- The processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law

The CCTV database is used to record incidents that are actioned by designated staff with secure access to the system. This information can be used as an evidential log if needed for legal purposes, to internally investigate an accident or incident which may be shared with the Staffordshire Police, Insurers and Health and Safety Executive as required.

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

LAC Members' personal data will be sought from the data subject themselves. Third parties will be contacted to obtain LAC Members' personal data with the data subject's consent, unless the Academy has a legal basis for doing so. Referees may be contacted to obtain personal information in the form of references of the data subject, to enable the Academy to fulfil its' legal duty of safeguarding and form an assessment of suitability for the LAC Member to fulfil a public sector governance position.

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

Why we collect and use governance information

The personal information that the Trust collects regarding LAC Members will be utilised to meet our statutory duties and fulfil our purpose as a public sector organisation, and in accordance with the Academy Trust Handbook. By providing such data you will be helping us to:

- Comply with safer recruitment practices and legal obligations to keep children safe in education
- Enable you to work with us and take part in appropriate training and professional development

- Ensure staff and children are safe
 - Maintain security on the premises
 - Meet health and safety obligations including ensuring that appropriate access arrangements can be provided for individuals who require them
 - Establish and maintain effective governance
 - Support the operational functioning of the Trust under its requirement as a public body organisation
 - To keep you up to date with news about the Trust and academies
 - To meet the statutory duties and obligations placed upon us, including publishing and sharing LAC Members' details
- Facilitate safer recruitment, as part of our safeguarding obligations
- Ensure optimum operational functioning of the Trust
 - Monitor equal opportunities
 - To update mandatory databases
 - To review governance within the Trust
 - To comply with legal and regulatory requirements and liaise with regulatory bodies

The data of LAC Members is essential for the Academy's operational use, to facilitate safer recruitment practices and ensure effective governance. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with the 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.

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Comply with a legal obligation (Article 6(1)c)
- Carry out a task in the public interest (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 (Article 6(1)a)
- We need to protect your vital interests, or someone else's vital interests (Article 6(1)d)
- Legitimate interest (Article 6(1)f)
- As a recognised legitimate interest under the Data Use and Access Act

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.

We collect data which is specified under the UK General Data Protection Regulation as Special Category Data, known as data that could be considered particularly sensitive. This means that, under the UK GDPR, we have obligations to keep this data secure and use it where:

- We have explicit consent (Article 9(a))
- Required for employment, social security and social protection (Article 9(b))
- Where we need to protect the vital interests of an individual (Article 9(c))
- We have a legitimate interest as a not for profit organisation (Article 9(d))
- For the safeguarding of children and individuals at risk (Paragraph 18, Schedule 1, Data Protection Act 2018)

All academy trusts, under the [academy trust handbook](#), have a legal duty to provide governance information as detailed within this privacy notice.

Collecting governance information

We collect personal information via systems such as our single central record, data collection forms, governor hub. Data will also be collected through the course of your term with the Trust via meetings. The majority of data will be collected directly from the data subject.

Storing governance information

We hold data throughout your period of your term and in accordance with our data protection policies. Personal information that is no longer needed, or has become inaccurate or out of date, is disposed of securely or rectified. We will retain this file and delete the information in it in accordance with our Retention and Records Management Policy.

The Trust will not share your personal information with any third parties without your consent, unless the law allows us to do so. 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 data will be stored securely via:

- Our secure internal network
- Our governance files
- Our single central record
- Our online governor communication system

We have measures in place for the security of personal information including our Cyber Response Management Plan and Information Security Policy.

If you require further information regarding retention of data, and the periods for which your personal data is held for, our Retention and Records Management Policy can be accessed from the Trust website <http://www.suatrust.co.uk/documents---policies>.

Who we share governance information with

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

- Our local authority (where applicable)
- The Department for Education (DfE)
- The Get Information About Schools System
- Our auditors
- Agencies clerking for the Trust Board
- Training providers
- External consultants e.g. governance consultants
- Governor Hub
- Our single central record system
- Ofsted (where required)
- Websites and social media platforms
- Insurance providers (if required in the event of a claim)
- Your emergency contact and medical services (in the event of an emergency on site)
- Academies within the Trust
- Our IT support provider to support your access to Academy ICT systems and services
- Our ICT monitoring system for cyber incident prevention and to adhere to online safety requirements
- Our signing in system, to support us to manage and register individuals on site in the event of an emergency evacuation and to ensure there is a list of individuals on the premises
- Law enforcement

Why we share governance information

We do not share information about individuals in governance roles with anyone without consent unless the law and our policies allow us to do so. We share your information to allow us to meet legal obligations, to support us to provide effective governance and as a public sector organisation.

Department for Education (DfE)

The Department for Education (DfE) collects personal data from educational providers and local authorities. We are required to share information about individuals in governance roles with the Department for Education (DfE) under the requirements set out in the [academy trust handbook](#).

All data is entered manually on the GIAS service and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current [government security policy framework](#).

The governance data that we lawfully share with DfE via GIAS:

- Will increase the transparency of governance arrangements
- Will enable maintained schools and Academy Trusts 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

Your rights

The UK GDPR gives you certain rights about how your information is collected and used. Your rights include:

- 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 rectification'.
- 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 of 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).

There are legitimate reasons why your information rights request may be refused. 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.
- 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 don't have the right to object, but you have the right to withdraw consent.

If you want to request access to the personal information we hold about you, please contact Jon Taylor (headteacher@westlands.staffs.sch.uk).

If you are concerned about the way we are collecting or using your information, please raise your concern with the Academy's DPO in the first instance (DPO@suatrust.co.uk). You can also contact the ICO at <https://ico.org.uk/concerns> or via the following means:

- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

How to withdraw consent and lodge complaints

Where our Academy processes your personal data with your consent, you have the right to withdraw your consent at any time.

If you change your mind or are unhappy with how our Academy uses your personal data, you should let us know by contacting the Data Protection Lead. We take any complaints about our collection and use of personal information very seriously.

Updating this privacy notice

We may need to update this privacy notice periodically if we change how we collect and process data. The Academy will inform you when this privacy notice has changed; however, we also recommend that you revisit this privacy notice periodically.

How can you find out more information?

If you would like to discuss anything in this privacy notice, please contact our Data Protection lead or visit our www.suatrust.co.uk.

How government uses your data

To find out more about the requirements placed on us by the Department for Education (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 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 the Department for Education (DfE) hold about you

Under the terms of the [Data Protection Act 2018](#), you're entitled to ask the Department for Education (DfE):

- 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 for Education (DfE), you should make a subject access request (SAR). Further information on how to do this can be found within the Department for Education's (DfE) 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>