

Privacy Notice for Trustees and Governors – How we use your information

2020/21

Who are we?

Learning Today Leading Tomorrow is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Learning Today Leading Tomorrow is registered as the Data Controller with the Information Commissioner's Office (ICO);
Registration Number: ZA138738.

You can contact the Academy Trust as the Data Controller in writing at:

Learning Today Leading Tomorrow

Rugby Free Secondary School

Anderson Avenue

Rugby

CV22 5PE

Or

info@learningleading.org

What is a Privacy Notice?

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our pupils and parents.

What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

What personal information do we process about Trustees and Governors?

The governor and trustee information that we collect, hold and share includes:

- Personal information including Trustee / Governors full name, title, date of birth, occupation, home address, and contact information.
- Characteristics such as faith, ethnicity, gender, nationality and country of birth.

- Attendance information for meetings.
- Information relating to the post held including terms of office, business and material interests.
- DBS, Barred List and section 128 checks.
- Medical information where necessary.
- Photograph and personal profile to go on our website.

Why do we use personal information?

We use Trustee / Governor data to:

- Carry out the relevant checks to safeguard our pupils
- Ensure that we act in an emergency
- Ensure that we comply with the necessary guidance and the law
- Comply with the law regarding data sharing

What are the legal reasons for us to process your personal information?

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. Data Protection law sets out the lawful reasons we have to process your personal information and these are as follow

1. To comply with the law

We collect and use general Trustee / Governor information in order to meet certain legal requirements and legal obligations placed upon the school by UK law. We therefore have the right to process your personal information for such purposes without the need to obtain your consent.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

2. To protect someone's vital interests

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

3. With the consent of the individual to whom that information 'belongs'

Whilst much of the personal information is processed in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

4. To perform a public task

It is a day-to-day function of the school to ensure that staff members receive the training and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that staff are properly supported and able to do their job.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 4.

In certain circumstances, an individual has the right to object to any processing where it is likely to cause or is causing harm or distress. To exercise this right, individuals should do so by contacting the trust to inform them of their reasons for the objection. These reasons should relate to your specific circumstances. Upon receipt of an objection, the trust will consider the reasons for the objection and balance this against the legitimate grounds to process data.

5. We have a legitimate interest

Occasionally we have reasons to process information which fall outside of our usual day-to-day school functions. Details of the type of processing that we may undertake on this basis are set out in Table 5.

In certain circumstances an individual has the right to object to any processing where it is likely to cause or is causing harm or distress. To exercise this right, individuals should do so by contacting the trust to inform them of their reasons for the objection. These reasons should relate to your specific circumstances. Upon receipt of an objection, the trust will consider the reasons for the objection and balance this against the legitimate grounds to process data.

Special category personal information

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- 1) Explicit consent of the data subject
- 2) Necessary for carrying out obligations and exercising specific rights in relation to employment and social security and social protection law
- 3) Processing relates to personal data which is manifestly made public by the data subject
- 4) Necessary for establishing, exercising or defending legal claims
- 5) Necessary for reasons of substantial public interest
- 6) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 7) Necessary for archiving, historical research or statistical purposes in the public interest

The lawful reasons for each type of sensitive category personal information that we process is set out in the tables attached.

Who might we share your information with?

We routinely share Trustee / Governor Information with:

- Our local authority
- The Department for Education (DfE)
- Companies House
- The wider community through our website
- Trust Governor (Governance and information management platform)
- SIMS/Scholarpack (school MIS)

- Edit and Inventry (visitor management software)
- Educare (online training provider)
- Microsoft Office
- Colwyn Technologies (Managed IT Service)
- Strictly Education (DBS umbrella body)

We do not share information about our staff unless the law and our policies allow us to do so.

Please refer to the tables for information about what personal information is shared with which specific third parties.

What do we do with your information?

All personal information is held in a manner which is compliant with Data Protection legislation. Personal information is only processed for the purpose it was collected. The school monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

How long do we keep your information for?

In retaining personal information, the Academy Trust has a [Records Management and Retention Policy](#). The schedules set out the Statutory Provisions under which the Academy Trust are required to retain the information.

NHS Test and Trace/Public Health Agencies:

It may be necessary for us to share limited information with the above agencies in the event that an individual tests positive for the Coronavirus, or if there is an outbreak. This will enable the named agencies to liaise with families to provide advice and support, and to take appropriate steps in responding to an outbreak. You have the right to object to the sharing of information with such agencies. This is not an absolute right and will be assessed on a case by case basis.

Covid-19 – Data Collection Requirements:

It may be necessary for us to share limited information with the Department of Public Health if an individual tests positive for Coronavirus, or if there is a Coronavirus outbreak. This will enable the named agencies to liaise with families to provide advice and support, and to take appropriate steps in responding to an outbreak.

Transferring data internationally

Where we transfer personal data to a country or territory outside the UK, we will do so in accordance with data protection law. We intend only to share to countries that have an adequacy decision. Where we share data to the USA, which includes Microsoft Office, we use Standard Contractual Clauses as a secure transfer mechanism, under Article 46 of the GDPR.

What are your rights with respect of your personal information?

Under data protection law, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or to have access to your child's educational record, contact the Trust directly via email at sar@learningleading.org or alternatively;

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Last Update: March 2021

Learning Today Leading Tomorrow

1 Bailey Road

Rugby

CV23 0PD

**Please ensure you specify which school your request relates to.

In certain circumstances where the trust processes data for the purposes of legitimate interests or to fulfil their public task, individuals have a right to object to the processing where it is likely to cause, or is causing, harm or distress. When exercising this right, individuals should contact the school/academy trust to inform them of their reasons for their objection. The school/academy trust will consider the reasons for any objection and assess the risk to the individual against the purposes for the processing. In the event the trust is unable to comply with an objection, we will ensure we can demonstrate compelling legitimate grounds to continue with the processing.

- You also have the right to:
- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- prevent processing for the purpose of direct marketing;
- object to decisions being taken by automated means;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

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 at <https://ico.org.uk/concerns/>

Review

The content of this Privacy Notice has been updated in line with advice for COVID-19. The next full reviewed will take place in March 2022

Table 1 – Personal information we are required to process to comply with the law:

Information Type	Relevant legislation	Third Parties with whom we share the information	Lawful reason for sharing
Full Name and title	Companies Act 2006, s167D	Companies House	Legal Obligation (Companies Act 2006, s162)
		Local Authority and Trust / School website Educare, Trust Governor, Educare, Colwyn Technologies, Microsoft Office, ScholarPack/SIMS, Inventry	Public Task
		Strictly Education	Contract
Date of birth	Companies Act 2006, s167D	Companies House	Legal Obligation (Companies Act 2006, s162)
		Trust Governor, inventry, SIMS/ScholarPack	Public Task
		Strictly Education	Contract
Country or state of residence	Companies Act 2006, s167D	Companies House	Legal Obligation (Companies Act 2006, s162)

		Trust Governor	Public Task
		Strictly Education	Contract
Nationality	Companies Act 2006, s167D	Companies House	Legal Obligation (Companies Act 2006, s162)
		Trust Governor	Public Task
		Strictly Education	Contract
Occupation	Companies Act 2006, s167D	Companies House	Legal Obligation (Companies Act 2006, s162)
		Trust / School website	Public Task
Previous Names	Legal Obligation Education (Independent School Standards) Regulations 2014 - requirement for those in regulated activity to undergo a DBS clearance	DfE	Legal Obligation - s.538, Education Act 1996
		Trust Governor	Public Task
		Strictly Education	Contract
DBS Number	Education (Independent School Standards) Regulations 2014.	Strictly Education	Contract
Barred List Checked	Education (Independent School Standards) Regulations 2014 - requirement for those in	Strictly Education	Contract

	regulated activity to undergo a DBS clearance		
Section 128 Barred From Management Check	Education and Skills Act 2008, section 128 - individuals barred under this legislation cannot manage independent educational institutions	Secretary of State	Legal Obligation <i>Education and Skills Act 2008, section 131</i> - authorities must notify the secretary of state if there any changes to the direction of the academy
Terms of Office	Education Act 1996, section 538 - the governing body must make to the Secretary of State if required	Department for Education, Published on website (Trustees)	Public Task - to comply with statutory guidance (Academies Financial Handbook) ESFA Guidance
Address for Service	Companies Act 2006, section 167D - duty to notify registrar of company director details	Companies House	Legal Obligation <i>Companies Act 2006, section 162</i> - to keep details on the register of directors s.538, Education Act 1996
		Trust Governor	Public Task
		Strictly Education	Legal Obligation Education (Independent School Standards) Regulations 2014 - requirement for those in regulated activity to undergo a DBS clearance
Attendance at Meetings	Companies Act 2006, section 248 - duty to avoid conflicts of interest	Trust Governor	Public Task

Table 2 – Personal information we are required to process as it is necessary to protect someone’s vital interests

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Medical Information	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent'	Medical staff i.e. paramedics / ambulance	Vital Interest
Religious belief	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent'	Medical staff i.e. paramedics / ambulance	Vital Interest
		Trust Governor	Public Task

Table 3 - Personal information we process with the consent of the individual to whom that information 'belongs'

Information Type	Third Parties with whom we share the information	Lawful reason for sharing
Personal Profile	Published on school website	Consent of individual
Photograph	Photo could be shared in the school newsletter, on the school website, with trusted	Consent of individual

	media outlets. ScholarPack/SIMS, inventory	
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Table 4 - Personal information we are required to process because it is necessary to do so in order to perform a public task

Please note that the right to object applies to *some* of this processing, please see the section above that refers to 'What are your rights with respect of your personal information?'

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Full Name – including title.		Local Authority and other. Governing Body Members. Published on website.	Public Task (to comply with statutory guidance)
		DfE, Companies House	Legal Obligation - s.538, Education Act 1996 Companies Act 2006, section 162 - to keep details on the register of directors
		Educare, Trust Governor, Microsoft Office, Colwyn Technologies, ScholarPack/SIMS	Public Task
		Strictly Education	Contract
Training Records		Educare	Public Task
Personal Email Address		CEO, Clerk, Exec Assistant.	Public Task
Organisational Email Address		Other governors and members of staff.	Public Task (to establish email address on secure server)
		Colwyn Technologies, Educare, Trust Governor,	Public Task

		Microsoft Office	
Date of appointment		DfE	Legal Obligation - s.538, Education Act 1996
Term of office		Published on website	Public task (to comply with statutory guidance)
		DfE	Legal Obligation - s.538, Education Act 1996
Record of Business Interest – including governance roles in any other educational institutions.		Published on website	Public Task (to comply with statutory guidance)
		Trust Governor	Public Task
Record of material interests that arise from relationships between governors and relationships between governors and school staff; e.g. spouses, partners, close relatives.		Published on website	Public Task (to comply with statutory guidance)
		Trust Governor	Public Task
Attendance at meetings		Published on website	Public Task (to comply with statutory guidance)
		Trust Governor	Public Task
Skills Audit		School governing body Members of staff	Public Task (to comply with statutory guidance)
Information required for COVID-19 Track and Trace: Name and contact details, result of COVID-19 testing.	Necessary for reasons of public health	Public Health and NHS Test and Trace	Public Task

<p>Information required for Covid-19 testing in school: Name. Date of birth, year group, Gender, Ethnicity, Home, postcode, Email address, Mobile number, Unique barcode assigned to each individual test and which will become the primary reference number for the tests, Test result, Parent/guardians contact details (if required)</p>	<p>Legal Obligation - para 7 of the Schedule to Education (Independent School Standards) Regulations 2014</p> <p>Reasons of public interest on public health grounds</p>	<p>Department of Health and Social Care, NHS, Public Health England Your GP Local Authority</p>	<p>Legal Obligation - Regulations 3(1) and (4) of the Health Service (Control of Patient Information) Regulations 2002</p>
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Table 5 - Personal information we process because we have a legitimate interest.

Please note that the right to object will apply to **some** of this processing, please see the section above that refers to ‘*What are your rights with respect of your personal information?*’

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information.	Lawful reason for sharing
Images captured on our CCTV system.	n/a	This is not shared routinely.	n/a