

School Governance Privacy Notice (October 2022)

Privacy notice relating to the governance information Ealing Council collects, processes, holds and shares



1. Who this privacy notice is from?

This privacy notice takes effect from 31st October 2022 when the local authority moves from the 'Servelec Synergy' also known as 'GATs' governance membership data base to 'GovernorHub' part of The Key Support Services Ltd.

Ealing Council's, School Governance Service, keeps information about school governors, trustees, associate members and clerks. All personal data is processed in accordance with the UK General Data Protection Regulation and Data Protection Act 2018. This privacy notice explains the personal data that the School Governance Service collects and how it is processed and used. Personal data is defined under UK GDPR as, 'any information relating to an identifiable person who can be directly or indirectly identified by reference to an identifier.' I.e., any information that enables an individual to be identified.

For the purposes of compliance with the UK GDPR and school governance information:

- The **Data Controller** is Ealing Council, 14-16 Uxbridge Rd, Ealing, London W5 2 HL. We are registered with the Information Commissioners Office and our registration number is Z5696801. The Data Controller is the organisation that decides why and how personal data is processed
- Ealing Council's School Governance Service is the **Data Processor** – the School Governance Service takes data provided and processes it as outlined in this privacy notice. The Data Processor is the person or organisation that processes the data on behalf of the Data Controller
- The **Data Protection Officer** (DPO) Mrs L. Cox, Corporate Information Governance Manager, IMG, Perceval House, 3,SE, 14-16 Uxbridge Road, Ealing, W5 2HL. Tel: [020 8825 5124/5512](tel:02088255124) or Email: dataprotection@ealing.gov.uk The Data Protection Officer monitors compliance by the Data Controller regarding data protection laws.

2. The lawful basis for why we collect and use this information

Governors hold an important public office and as part of a Local Authority's (LA's) legal school governance statutory and public task obligations the personal data collected is essential in order to fulfil its official functions and meet legal requirements. Processing is necessary for:

- Compliance with a legal obligation
- The performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

All maintained school governing boards (under [section 538 of the Education Act 1996](#)) and academy trusts (under the [Academies Financial Handbook](#)) have a legal duty to provide governance information. We also have a legal obligation under section 30 of the Education Act 2002 to hold the contact details of Chairs of Governors. We also need the details of local authority governors to fulfil our responsibilities regarding these vacancies when they arise:

- Section 13(a) of the Education Act 1996
- Section 22 and Schedule 6 of the Education Act 2002
- Section 31(1a&b), (2a) of the School Governance (Constitution) (England) Regulations 2012.

In short it is not possible for the LA to perform its statutory functions without having access to the relevant personal data.

In addition, various legislation as below requires a number of functions for which the local authority needs personal information in order to fulfil its obligations:

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| • Check and make the Instrument of Government (IoG) for all maintained schools | Education Act 2001 – section 20
Secondary – School Governance Constitution Regulations 2012 |
| • Nominate LA governors to all maintained schools | Education Act 2002 – section 19 (2) c.
Secondary - School Governance Constitution Regulations 2012 |
| • Signpost training and provide information on essential governance issues | Education Act 2002 - Section 22 |
| • Set up temporary GBs for new maintained schools | Education Act 2002 – section 34
Secondary School Governance Regulations 2015 (Misc. Amendments) |
| • Appoint parent governor representatives on LA forums dealing with education (carried out by the Council's Democratic Service) | Education Act 1996 – Section 499
Secondary – Parent Governor Representatives Regulations 2001 |
| • Support GBs of schools at risk or in a category | Education and Inspections Act 2006 |

3. **Information that we collect, process, and hold** as part of our legal obligation/public task:

- **Personal information** - name, address, contact telephone/s, mobile telephone/s, and email/s
- **Governance membership** – current and past category of governor, term/s of office, which school/s a person is a governor/trustee/associate member/clerk of and any responsibilities e.g., chair, vice chair.

Special category data:

- **Characteristics** – gender, date of birth, ethnicity, political affinity.

This information is not routinely collected by Ealing School Governance Service. However, if shared with your GB/clerk this may be provided with your consent to the LA. It may also be provided with your consent, if completing a local authority or LA governor 'citizen' application form.

Other information we may hold when requested:

- **Minutes of governance meetings** - not routinely collected but may be requested as part of link officer, or [Schools Causing Concern \(SCC\)](#) LA duty. In Ealing SCC is also known as Securing Good. Governing board minutes are public documents (excluding confidential minutes) and should be made available on request.

4. **Collecting this information**

Membership information or changes to governors/trustees/associate members/clerks are uploaded directly on to GovernorHub by a designated governing board member, usually the clerk, via secure password protected access. Ealing Governor Services can view membership details securely via the web enabled platform for all schools. Individual schools / GBs can only access their own GBs information.

Whilst the LA school governance obligations/duties cover all maintained schools we also hold with consent academy and free school information to support our legal obligations.

For LA/LA citizen governors only, information may also be provided by individuals (with consent) via the application process, to Ealing Governor Services and/or an Ealing Councillor who then shares with the School Governance Service.

5. **How do we store this information?**

- Your data is stored on a dedicated governor database provided by GovernorHub also known as Ortoo Technologies, which is part of The Key Support Services Ltd
- The database is stored on a secure web enabled platform
- The data base is password protected with restricted access for each school
- The LA also holds an Excel document containing information on historical board members and clerks.

6. **How we use this information:**

- Ensures we have current contact details of all governors to fulfil our statutory duties
- Supports our statutory duties and informs planning and provision (see section 2 above)
- Enables the LA to monitor vacancies and support with filling as appropriate
- Ensures LA governors meet the required eligibility of all appointed governors
- Special characteristics – monitoring the composition of GBs across Ealing reflects the communities they serve.

7. **Who do we share this information with?**

The LA shares personal information (protected as below) with the following:

- Chairs, vice chairs contact information with council officers for use in an emergency or where they require it for a legal and legitimate reason e.g., Schools Causing Concern issue
- LA governor application forms with the Director Learning, Standards and School Partnerships and [Councillor for A Fairer Start](#) – to approve nominations
- E-mail addresses only with Ealing Grid for Learning to send [half termly governance communication](#) (as part of fulfilling our statutory requirements)
- On request from the Regional Schools Commissioner or Department for Education (DfE) – Section 538 of the Education Act 1996.

Personal information is never shared with members of the public. If it is important for a person to be in contact with someone on a governing board, the service will take details and contact/ pass on as appropriate to the relevant individual. Any information which includes personal data if required, is sent securely using encrypted software. If a

non-personal data item needs to be communicated e.g., training information, we will send via blind copy e-mail or will use the GovernorHub noticeboard.

Sharing with third parties

Data is stored on a dedicated governor database provided by GovernorHub which is part of The Key Support Services Ltd. This is a secure web enabled platform. See [here](#) for how GovernorHub stores and secures your data.

We also currently use a third-party provider, MailChimp, to deliver our half termly Governors Gatekeeping news. The only information provided to MailChimp is an e mail address (no name). For more information, please see [MailChimp's privacy notice](#) (link is external). You can at any time unsubscribe to this distribution list by clicking the unsubscribe button at the bottom of the email or by sending an email egflwebteam@ealing.gov.uk.

8. How long is information kept

Currently the information is kept 'live' for as long as an individual is a serving governor, trustee, associate member, or clerk. The data base is updated by the boards designated person e.g., the clerk/chair so it is important that they maintain the current membership on the GovernorHub database for each of their schools. Data may be deleted by the data controller at any time.

Once a governor has left a board, visual access is immediately removed for all governors on the board. The information is retained for a minimum of six months up to a maximum of two years on the GovernorHub platform, with access by the clerk to allow where there may be a delay in reappointing. The board / designated admin person can choose to save information on past governors in the 'Historical members' section on GovernorHub. This is limited to name, type of governor, term of office, any role, committee membership etc. This information is kept for as long as the LA continues to use GovernorHub as its membership platform or the school subscribes to use any GovernorHub additional features.

The LA also holds an Excel document (created October 2022) containing historical information on board members and clerks at the point the LA transferred to the GovernorHub data base. This contains contact email/ mobile information in addition to the above historical information. This is securely held on the Council's ICT system, viewable only by Ealing Governor Services. This file will be deleted, in line with Ealing Council guidance on personnel record retention, within a maximum of six years or on request to governors@ealing.gov.uk

Who should I contact if I want further information or to complain about the use of my personal information?

Under data protection legislation an individual has the right to request access to information held about them. To make a request please contact Tel: [020 8825 5124/5512](tel:02038255124) or Email: dataprotection@ealing.gov.uk

You also have the right to object to the processing of data in certain circumstances:

- Object to the processing of personal data that is likely to cause or is causing damage or distress
- Prevent processing for direct marketing
- Object to decisions being taken by automated means where the decision has a serious negative impact on you / or adversely affects you
- in certain circumstances, have inaccurate personal data rectified, blocked, erased, or destroyed.

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Please contact Mrs. L. Cox, Corporate Information Governance Manager, IMG, Perceval House, 14/16 Uxbridge Road, Ealing, W5 2HL. Tel: (020) 8825 5124/5512 Email: dataprotection@ealing.gov.uk If you are not satisfied with our response, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns> Email casework@ico.org.uk Tel: 0303 123 113

Please see the LA's website for more detail on how Ealing may use information at https://www.ealing.gov.uk/info/201045/data_protection/1420/privacy_statement

9. Changes to our privacy notice

Any changes to this privacy notice will be communicated to all boards and made available on EGFL www.egfl.org.uk/governorsprivacy There is also a link on the governors@ealing.gov.uk email signature. We recommend that all new governors are made aware of this notice as part of their induction.

School governance development

14 – 16 Uxbridge Road

Perceval House

Ealing

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Visit www.egfl.org.uk/governors