

School Governance Privacy Notice (May 2018)

Updated privacy notice relating to the governance information
Ealing Council collect, process, hold and share



1. Who this privacy notice is from

Ealing Council's School Governance Service, keeps information about school governors, associate members and clerks. All personal data is processed in accordance with the UK Data Protection Bill (25th May 2018) also known as the General Data Protection Regulations (GDPR). 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 GDPR as, 'any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier.' I.e. any information that enables an individual to be identified.

For the purposes of the UK Data Protection Bill 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 Controller 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 LA require governor information. The summary information below identifies the various legislation which requires personal information from governing boards (GBs) to fulfil its obligations. In short it is not possible for the LA to perform its statutory functions without processing the relevant personal data.

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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 |
| • Provide information and signpost training 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, any responsibilities e.g. chair, child protection.

Special category:

- **Characteristics** – gender (male/female), date of birth, ethnicity, political affinity.

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

Other when requested

- **Minutes of governance meetings** - not routinely collected but may be requested as part of link partner, securing good or Schools Causing Concern (SCC) local authority duty. Governing board minutes are public documents (excluding confidential minutes) and should be made available on request.

4. Collecting this information

The information is usually provided to the School Governance Service by the clerk to governors, who has collected relevant information from the GB as part of the school's statutory duties. However, information can also be provided from the chair, headteacher or individual governors directly. For LA/LA citizen governors only, it may be provided by individuals (with consent) to an Ealing Councillor who then shares with the School Governance Service.

Whilst the LA school governance obligations/duties cover all maintained schools we also hold academy and free school information to support Schools Causing Concern obligations. If supplied (by consent) via the clerk this enables us to fulfil our statutory communication and training duties.

5. How do we store this information?

- Your data is stored on a dedicated governor database provided by 'Servelec Synergy'
- The database is stored on a secure Ealing Council server (not a cloud)
- The data base is password protected with restricted access
- One 'master' paper copy for each GB current membership is stored securely in a locked cabinet. The keys are only accessible to members of the LA School Governance Service – currently the School Governance Adviser and Officer. This is for emergency use only if the governor data base 'Servelec Synergy' is unavailable for any reason and contact needs to be made.

6. How we use this information:

- To ensure we have current contact details of all governors to fulfil our statutory duties
- To monitor vacancies and support with filling
- To ensure LA governors meet the required eligibility of all appointed governors and as LA or LA citizen governors
- Special characteristics - to monitor the make-up of GBs across Ealing to reflect the communities they serve.

7. Who we share this information with

We only share personal information (protected as below) with the following:

- Clerks, chairs, headteachers on request for their own GBs
- 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 issues
- LA governor application forms with the Director Learning, Standards and School Partnerships and the Portfolio Holder, Children and Young People to approve nominations
- E mail addresses only with the Ealing Grid for Learning Service to send bi-annual Directors' Report to Governors and half termly Governance news (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 someone to be in contact with a governor, the service will take individuals details and pass on as appropriate to e.g. the chair.

Membership changes or details of whole GBs/individuals governors/associates/clerks are sent to the relevant person (clerk, headteacher or chair) securely via Egress Switch (a broad security platform which allows confidential information to be shared securely) or where this is not accessible to a school via London Grid for Learning's secure data sharing portal. All information with personal data is sent directly using encrypted software. If a non-personal data item needs to be communicated e.g. training information we send via blind copy e-mail.

Sharing with third parties

We use a third-party provider, MailChimp, to deliver our bi-annual Directors Report and half termly Governance News. The only information given is your 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 do we keep the information for?

Currently the information is kept 'live' for as long as an individual is a serving governor, associate member or clerk. Once they are no longer a serving governor/associate member/clerk the information is archived so that the service no longer contacts you. The data base is updated only on advice from the clerk/chair so it is important that the clerk informs us of any changes – using a secure means (see section 7).

The hard copy file (GB membership – see section 5) is updated as changes are made and the old information disposed of as part of Ealing's confidential waste disposal process.

Currently electronic data can still be retrieved if necessary for purposes of long service awards, historic information e.g. police or social services cases. However, moving forward our intention is to only hold information on an individual for 12 months from the date they cease to be a governor/associate member/clerk. We will notify you once this change to the data base has been carried out.

9. 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: [02038255124](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

10. Changes to our privacy notice

Any changes to this privacy notice will be communicated via Gatekeeping and updated as changes are made on www.egfl.org.uk/governorsprivacy

All new governors/clerks will receive a welcome e mail with a link to this privacy notice from the School Governance Service, once we have been notified by the clerk of their appointment. We recommend that all new governors are made aware of this notice as part of their induction.