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**Leamington Federation**  
**Sydenham Primary School**  
**Privacy Notice for Governors – How we use your information**  
**2022/23**

**Who are we?**

Sydenham Primary School is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Sydenham Primary School is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: Z7202767

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

Sydenham Primary School  
Calder Walk  
Leamington Spa  
Warwickshire  
CV31 1SA

or [admin2622@welearn365.com](mailto:admin2622@welearn365.com).

**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 governors.

**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 governors?**

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

- Personal information including a governor's name, date of birth, unique pupil number and home address
- Attendance information such as sessions attended, number of absences and absence reasons.
- Contact information, including telephone numbers, home addresses and e-mail addresses.
- Disclosure and Barring Service information to help us make safer recruitment decisions.

**Collecting governor information**

Whilst the majority of governor information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you

are required to provide certain governor information to us or if you have a choice in this.

## **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. The lawful reasons we have for processing personal information are as follows:

### **1) To comply with the law**

We collect and use general purpose governor information in order to meet certain legal requirements and legal obligations placed upon the school by law. We therefore are required to this process personal information for such purposes even if you have not consented to us doing so.

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.

If you would like a copy of or further information regarding the statutory authorities that underpin our legal obligations, you should contact the school in writing.

### **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 processed is 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 children receive the education 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 pupils are properly educated and supported

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.

### 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) Processing relates to personal data which is manifestly made public by the data subject
- 3) Necessary for establishing, exercising or defending legal claims
- 4) Necessary for reasons of substantial public interest
- 5) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 6) Necessary for archiving, historical research or statistical purposes in the public interest

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

We do not share information about our governors 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.

### **Data collection requirements:**

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

### **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 Coronavirus, or it there is a Coronavirus outbreak. This will enable to 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.

### **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 school complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which the school are required to retain the information.

A copy of those schedules can be located using the following link:

<http://irms.org.uk/page/SchoolsToolkit>

### **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.

### **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 School Data Protection Officer at Warwickshire Legal Services via email at [schooldpo@warwickshire.gov.uk](mailto:schooldpo@warwickshire.gov.uk) or alternatively;

School Data Protection Officer  
Warwickshire Legal Services  
Warwickshire County Council  
Shire Hall  
Market Square  
Warwick  
CV34 4RL

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

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 will be reviewed September 2023

**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
Register of school governor's business interests – including governance roles in any other educational institutions.	School and Early Years Finance (England) (No. 2) Regulations 2018, Paragraph 15 to Schedule 5	Local Authority	Statutory Requirement
DBS Number	School Governance (Constitution) (England) Regulations 2012, Regulation 16A	Local Authority	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

**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 media outlets.	Consent of individual
Postcode	DfE	Legal Obligation - s.538, Education Act 1996
Date of birth	DfE	Legal Obligation - s.538, Education Act 1996
Previous Names	DfE	Legal Obligation - s.538, Education Act 1996

**Table 4** - Personal information we are required to process because it is necessary to do so in order to perform a public task

Information Type	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	Legal Obligation - s.538, Education Act 1996
Email Address	Other governors and members of staff.	Public Task (to establish email address on secure server)
Date of appointment	Published on website	Public task (to comply with statutory guidance)
	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 material interests that arise from relationships between governors and relationships between governors and school staff; e.g. spouses, partners, close relatives.	Published on website	
Attendance at meetings	Published on website	Public Task (to comply with statutory guidance)
Skills Audit	School governing body Members of staff	Public Task (to comply with statutory guidance)