

# Primary Advantage Privacy Notice: governors, LAB members and volunteers

## How we use governors' and other volunteers' information

Under data protection law, individuals have a right to be informed about how the federation uses any 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. This privacy notice explains how we collect, store and use personal data about individuals working with the federation in a voluntary capacity, including Governors and LAB members.

Primary Advantage Federation, (the Federation) is the 'Data controller' for the purposes of data protection law. Any references to "the federation" should also be taken to mean any of its schools. We have appointed Grow Education Partners Ltd as our data protection officer (DPO) and the responsible contact is Hassan Muzammal (see 'Contact us' below).

### 1. The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not limited to:

- Personal Information (such as name, date of birth, next of kin, dependents, marital status)
- Contact details (such as telephone number, email address, postal address, for you and your emergency contacts)
- Protected characteristics (such as trade union membership, nationality, language, ethnic origin, sexual orientation, health and religion or belief, where this has been provided)
- Relevant medical information (such as physical or mental health conditions, including for any disabilities which the organisation needs to make any reasonable adjustments to fulfil its duty of care)
- Qualifications, and employment records (such as work history, job titles, references, training records and professional memberships)
- Outcomes of any disciplinary and/or grievance procedures, including any warning issues to you and related correspondence
- Governor and LAB member performance information (Such as meeting attendance, visits, roles, and leadership responsibilities)
- Information about business and pecuniary interests
- Information about your criminal record
- Closed-circuit television (CCTV) footage
- Data about your use of the federation's information and communications system
- Photographs (for internal safeguarding & security purposes, school newsletters, media, and promotional purposes)
- Payment and banking details where required (e.g. for expense claims).

We may also hold personal data about you from third parties, such as information supplied by the appointing body and from the Disclosure & Barring Service, in order to comply with our legal obligations and statutory guidance.

A full breakdown of the information we collect on volunteers can be found in the record of data processing which can be requested from the Federation's Governance Manager via [governors@primaryadvantage.hackney.sch.uk](mailto:governors@primaryadvantage.hackney.sch.uk)

## **2. Why we collect and use this information**

The reasons we collect and process this data includes, but is not limited to:

- Establish and maintain effective governance
- Meet statutory obligations for publishing and sharing voluntary individuals' details
- Facilitate safeguarding as part of our safeguarding obligations towards pupils
- Fulfil our legal obligations in appointing voluntary individuals
- Support development
- Equalities monitoring and reporting
- Ensure that appropriate access arrangements can be provided for volunteers who require them
- To comply with the law regarding data sharing
- Respond to any school or federation workforce issues
- Undertake statutory reporting to the Department for Education.

## **3. The lawful basis on which we use this information**

These are defined under data protection legislation and for personally identifiable information are:

- Processing is necessary to fulfil a contract with you
- You have given consent for one or more specific purposes
- Processing is necessary to comply with the federation's legal obligations
- Processing is necessary to protect your vital interests
- Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education).
- Processing is necessary for the federation's legitimate interests or the legitimate interests of a third party.

When we process special category information, which is deemed to be more sensitive, the following lawful bases are used:

- You have given explicit consent
- Employment, social security, and social protection
- It is necessary to fulfil the federation's obligations or your obligations
- It is necessary to protect your vital interests
- Processing is carried out by a foundation or not-for-profit organisation (includes religious, political, or philosophical organisations and trade unions)
- Reasons of public interest around public health.

Where we have obtained consent to use personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.

## **4. Collecting this information**

While the majority of the information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

## **5. Storing your data**

Personal data is stored in accordance with our data protection & retention policy.

We retain personal information about all volunteers. This information is kept secure and is only used for purposes directly relevant to your work with the federation.

When your relationship with the federation has ended, we will retain and dispose of your personal information in accordance with our data protection & retention policy. A copy of this can be obtained by contacting the Federation's Governance Manager via [governors@primaryadvantage.hackney.sch.uk](mailto:governors@primaryadvantage.hackney.sch.uk)

## 6. Who we share information with

In order for us to legally, effectively and efficiently function we are required to share data with appropriate third parties, including but not limited to:

- The Department for Education – to meet our legal obligations to share certain information.
- Our local authority – to meet our legal obligations to share certain information with it, such as details of governors and LAB members
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as governor support and IT services
- Training centres and awarding bodies – in order to share information and feedback on your performance.
- Your families and representatives – such as in the event of an emergency
- Our auditors to ensure compliance with our legal obligations
- Trade Unions and Professional Associations – to enable them to provide the service their members require
- Professional advisers and consultants – for us to develop our services and best provide our public service
- Employment & recruitment agencies and future employers – to support reference requests
- Police forces, courts, tribunals, security organisations – to create a secure workplace for all at the federation.
- Charities and voluntary organisations.

## 7. Transferring data internationally

We may send your information to other countries where:

- we or a company we work with store information on computer servers based overseas; or
- we communicate with you when you are overseas.

We conduct due diligence on the companies we share data with and note whether they process data in the UK, EEA (which means the European Union, Liechtenstein, Norway and Iceland) or outside of the EEA. The UK and countries in the EEA are obliged to adhere to the requirements of the GDPR and have equivalent legislation which confer the same level of protection to your personal data.

For organisations who process data outside the UK and EEA we will assess the circumstances of how this occurs and ensure there is no undue risk.

Additionally, we will assess if there are adequate legal provisions in place to transfer data outside of the UK.

## 8. Why we share your information

In order to successfully perform our key functions, we need to share personal data with organisations for example we share personal data with the Department for Education (DfE) on a statutory basis. Under s.538 of the Education Act 1996, and the Academies Financial Handbook, the Secretary of State requires boards to provide certain details they hold about people involved in governance, as volunteered by individuals, and the information kept up to date.

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

To contact the department: <https://www.gov.uk/contact-dfe>

## 9. Data protection rights

Individuals have a right to make a **'subject access request'** to gain access to personal information that the federation holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- NOT provide information where it compromises the privacy of others
- Give you a copy of the information in an intelligible form.

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

In most cases, we will respond to subject access requests within one month, as required under data protection legislation. However, we are able to extend this period by up to two months for complex requests or exceptional circumstances.

More information about how we deal with subject access requests is in our data protection & retention policy.

### Your other rights regarding your data

You may:

- Withdraw your consent to processing at any time (This only relates to data for which the federation relies on consent as a lawful basis for processing)
- Ask us to rectify, erase or restrict processing of your personal data, or object to the processing of it in certain circumstances and where sufficient supporting evidence is supplied
- Prevent the use of your personal data for direct marketing
- Challenge processing which has been justified on the basis of public interest, official authority or legitimate interests
- Request a copy of agreements under which your personal data is transferred outside of the European Economic Area
- Object to decisions based solely on automated decision making or profiling (decisions taken with no human involvement, that might negatively affect you)
- Request a cease to any processing that is likely to cause damage or distress
- Be notified of a data breach in certain circumstances
- Submit a complaint to the ICO
- Ask for your personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances)

If you would like to exercise any of the rights or requests listed above, please contact Dan Hyslop via:

- [governors@primaryadvantage.hackney.sch.uk](mailto:governors@primaryadvantage.hackney.sch.uk)
- 0207 2541010 Option 6
- Holy Trinity CE Primary School, Beechwood Road, London E8 3DY

The federation will comply with the data protection legislation in regard to dealing with all data requests submitted in any format, although individuals are asked to preferably submit their request in written format to assist with comprehension.

We reserve the right to verify the requester's identification by asking for photo ID. If this proves insufficient then further ID may be required.

## **10. Data protection breaches**

If you suspect that your or someone else's data has been subject to unauthorised or unlawful processing, accidental loss, destruction or damage, we ask that you please contact the Federation's Governance Manager via [governors@primaryadvantage.hackney.sch.uk](mailto:governors@primaryadvantage.hackney.sch.uk) and advise us without undue delay.

More information about how we deal with data breaches is in our data protection & retention policy.

## **11. Complaints**

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our independent data protection officer Hassan Muzammal at Grow Education Partners: [Hassan.Muzammal@london.anglican.org](mailto:Hassan.Muzammal@london.anglican.org)

Alternatively, you can refer a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## **12. Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact either the Federation's Data Protection Lead, Dan Hyslop via [governors@primaryadvantage.hackney.sch.uk](mailto:governors@primaryadvantage.hackney.sch.uk) or our independent Data Protection Officer Hassan Muzammal via [Hassan.Muzammal@london.anglican.org](mailto:Hassan.Muzammal@london.anglican.org)