

## Privacy Notice

(How we use Member, Governor and Clerk to Governors information)

### The categories of governance information that we process include:

- Personal identifiers, contacts and characteristics (such as name, date of birth, nationality, address, postcode, email address, telephone number)
- Governance details (such as role, start and end dates)
- Qualifications, skills, previous and current employment
- Declaration of related party, pecuniary and business interests
- Information provided by individuals as part of an application form to facilitate the appointment procedure
- Training records
- Banking details where expenses are paid

### Why we collect and use governance information

The personal data collected is essential for Exeter Mathematics School to fulfil its official functions and meet legal requirements.

We collect and use governance information for the following purposes:

- a) To meet the statutory duties placed upon us within:
  - Section 538 of the Education Act 1996
  - Section 128 of the Education and Skills Act 2008
  - Sections 167 & 167D of the Companies Act 2006
- b) To comply with the statutory requirements for recording governance within the Academies Financial Handbook, Funding Agreement, Articles of Association and Get Information About Schools (GIAS) on the DfE database
- c) To obtain advice, guidance, information and training for governors
- d) To ensure anti-fraud financial procedures are undertaken in line with Know Your Customer requirements

Under the General Data Protection Regulation (GDPR) we rely on the legal basis of 'Legal Obligation' for the gathering and processing of personal information recorded in the list above

Additionally, under the [Academies Financial Handbook](#) Exeter Mathematics School has a legal duty to provide the governance information as detailed above.

### Collecting governance information

We collect personal information via personal details contact forms, Company House registration information, DBS checks, verification of identity forms and Know Your Customer (KYC) forms, Declaration of Related Party Transaction forms, Register of Business Interests forms.

Governance data is essential for the School's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it may be requested on a voluntary basis. In order to comply with GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

## **Storing governance information**

We hold data securely for the set amount of time shown in our data retention schedule. For more information on how we keep your data safe, please visit <https://www.exetermathematicsschool.ac.uk/data-protection/> for our Data Protection Policy. Records will be held until 12 months after either a Member/Governor/Clerk to Governors has resigned.

## **Who we share governance information with**

We routinely share this information with:

- The Local Authority (Devon County Council)
- Babcock LDP Governance Consultancy Team
- The Department for Education (DfE) - GIAS
- The School Office at Exeter Maths School
- Other governors
- Exeter College
- Exeter University
- Companies House
- Disclosure and Barring Service
- The Clerk to the Board and other school staff

## **Why we share governance information**

We do not share information about individuals in governance roles with anyone without consent unless the law and our policies allow us to do so.

### **Governance Consultancy Team**

The Governance Consultancy Team requests information for the Head, Chair and Clerk in academy schools. As a school which subscribes to The Governance Consultancy Team, we share information for booking training and accessing support services.

### **Department for Education (DfE)**

We share personal data with the Department for Education (DfE) via Get Information About Schools (GIAS).

### **School Office**

In case of emergency or an Ofsted inspection it is necessary for the school office to hold details of any individuals involved in the governance of the school. The School Single Central Record will record that appropriate checks have been carried out for everyone involved in the governance of the School.

## Other governors

For ease of communication and with consent contact details may be shared with other governors.

## Companies House

In accordance with Sections 167 & 167D of the Companies Act 2006 anyone on the Trust Board of an Academy must be registered with Companies House as Directors of the Company. Information is also shared with financial institutions used by the School to meet the requirements for 'Know Your Customer' anti-fraud legislation.

## Disclosure and Barring Service

All academy Members and Trustees are required to have an enhanced criminal records certificate from the DBS. In academy schools a section 128 check is also statutory. Further details on DBS and Section 128 checks in schools are within the statutory guidance Keeping Children Safe in Education (KCSIE).

## Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities. We are required to share information about individuals in governance roles with the (DfE) under the requirements set out in the [Academies Financial Handbook](#). All data is entered manually on the GIAS system and held by DfE under a combination of software and hardware controls which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

## Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact Nicola Mitchell, Data Protection Officer, Exeter Mathematics School, Rougemont House, Castle Street, Exeter, EX4 3PU or via email: [nicolamitchell02@exeterms.ac.uk](mailto:nicolamitchell02@exeterms.ac.uk) or by phone on (01392) 429020.

You also have the right to:

- ask us for access to information about you that we hold
- have your personal data rectified if it is inaccurate or incomplete
- request the deletion or removal of personal data where there is no compelling reason for its continued processing
- restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it results in a legal or similarly significant impact on you

If you have a concern or complaint 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/>.

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

## **Withdrawal of consent and the right to lodge a complaint**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting Jane Lucas, Clerk to Governors at Exeter Mathematics School, Rougemont House, Castle Street, Exeter EX4 3PU, or via email: [janelucas02@exeterms.ac.uk](mailto:janelucas02@exeterms.ac.uk) or by phone on (01392) 429020.

## **Last updated**

The information and requirements contained in this document are based on the Data Protection Act 2018 and will be reviewed periodically or when regulations change.

## **Contact**

If you would like to discuss anything in this privacy notice, please contact: Nicola Mitchell, Data Protection Officer, Exeter Mathematics School, Rougemont House, Castle Street, Exeter, EX4 3PU or via email: [nicolamitchell02@exeterms.ac.uk](mailto:nicolamitchell02@exeterms.ac.uk) or by phone on (01392) 429020.

## How Government uses your data

The governance data that we lawfully share with the DfE via GIAS:

- will increase the transparency of governance arrangements
- will enable maintained schools and academy trusts and the department to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context
- allows the department to be able to uniquely identify an individual and in a small number of cases conduct checks to confirm their suitability for this important and influential role

## Data collection requirements

To find out more about the requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/government/news/national-database-of-governors>

**Note:** Some of these personal data items are not publically available and are encrypted within the GIAS system. Access is restricted to a small number of DfE staff who need to see it in order to fulfil their official duties. The information is for internal purposes only and not shared beyond the department, unless the law allows it.

## How to find out what personal information DfE holds about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

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