



GDPR PRIVACY NOTICE FOR GOVERNORS AND VOLUNTEERS

Introduction

Under data protection law, individuals have a right to be informed about how Durham Johnston Comprehensive School use any personal data that we hold about them.

We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals we appoint, or otherwise engage, as governors at our school, in accordance with the UK General Data Protection Regulation (UK GDPR).

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

If you have any questions about this privacy notice, please contact the GDPR Team:
gdperteam@durhamjohnston.org.uk.

What is personal information?

Personal information is information that relates to a living individual who can be identified from that data. Identification can be made from the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

Who processes the information?

Durham Johnston is the data controller for the personal information you provide to us. This means the school determines the purposes for which, and the manner in which, any personal data is to be processed.

In rare cases, your data will be shared with a third party processor. However, this will only be done with your consent unless the law requires the school to share your data. Where the school shares data with a third party processor, the same data protection standards that Durham Johnston School upholds are imposed on the processor.

What data do we collect?

The information we hold about you is primarily the information provided to us when appointed, or otherwise engaged, as a governor in school. This may include, but is not restricted to:

- Personal information, e.g. name, addresses, date of birth, contact details, next of kin details, NI number;
- Personal characteristics, e.g. gender, ethnicity, disability, language, nationality, country of birth;
- Proof of identity, e.g. copies of passport, driving licence and other documents required to ensure compliance with Home Office and safeguarding requirements;
- Appointment information, including references and other information included in the appointment process;
- Qualifications and employment records;
- DBS details;
- Criminal records information as required by law to enable you to work with children;
- Information about your use of our IT, communications and other systems, and other monitoring information;
- Records of attendance at governing body and sub-committee meetings;
- Photographs and videos of participation in school activities;
- CCTV footage captured by the schools CCTV system.

How and why do we collect and use personal information?

We will only use your personal information when the law allows us to. Most commonly, we will use your information in the following circumstances:

- Where you have provided your consent;
- Where we need to perform a contract we have entered into with you;
- Where we need to comply with a legal obligation (such as health and safety legislation and under statutory codes of practice);
- Where it is needed in the public interest or for official purposes;
- Where it is necessary for our legitimate interests (or those of a third party) and your interests, rights and freedoms do not override those interests.

The situations in which we will process your personal information are listed below:

- To determine appointment and suitability as a governor;
- To deal with election of governors;
- To comply with safeguarding obligations;
- To provide details on our website or online databases about governors;
- To communicate with third parties and other stakeholders to the School;
- For business management and planning purposes (including accounting, budgetary and health and safety purposes);
- For financial purposes (such as expenses);
- To deal with any complaints/investigations as required;
- When you sit on a panel or committee, name and comments as well as decisions made;
- To send communications in your role as governor;
- For education, training and development requirements;
- In order to review governance of the School;
- In order to comply with any legal dispute or any legal obligations;
- In order to comply with regulatory requirements or health and safety obligations;
- To ensure system security, including preventing unauthorised access to our networks;
- To monitor use of our systems to ensure compliance with our IT processes;
- To receive advice from external advisors and consultants;
- To liaise with regulatory bodies (such as the DfE, DBS); and
- Dealing with termination of your appointment.

If you fail to provide certain information when requested, we may be prevented from complying with our legal obligations (such as to ensure health and safety). Where you have provided us with consent to use your data, you may withdraw this consent at any time.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

How We Use Particularly Sensitive Information

Sensitive personal information (as defined under the UK GDPR as "special category data") requires higher levels of protection and further justification for collecting, storing, and using. We may process this data in the following circumstances: -

- In limited circumstances, with your explicit written consent;
- Where we need to carry out our legal obligations in line with our data protection policy;
- Where it is needed in the public interest, such as for equal opportunities monitoring (or in relation to our pension scheme);
- Where it is needed in relation to legal claims or where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent.

Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations.

Where appropriate we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of working for us.

The lawful basis on which we process this information

The personal information collected is essential, in order for us to fulfil our official functions and meet legal requirements.

We collect and use governor information, for the following purposes:

- To meet statutory duties placed upon us;
- Carry out a task in the public interest.

Under UK GDPR, the legal bases we rely on for processing personal information include Article 6 'lawfulness of processing' and Article 9 'Processing of special categories of personal data':

- Article 6: processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
- Article 9: processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

Who do we share information with?

We do not share information with anyone without your consent, unless the law allows us to do so.

The school is required to routinely share information with:

- Local Authority: we are required to share information about our Governing Body with the local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- Department for Education (DfE): All maintained school governing bodies, under Section 538 of the Education Act 1996 have a legal duty to provide the governance information as detailed above.

At no time will your information be passed to organisations external to us, or our partners for marketing or sales purposes, or for any other commercial use without your prior express consent.

How do we keep information secure?

The security of your personal information is important to us. This is why we follow a range of security policies and procedures to control and safeguard access to and the use of your personal information. This includes physical and technical security and integrity of all data:

Examples of our security include:

- Encryption, meaning that information is hidden so that it cannot be read without access knowledge (such as a password).
- Controlling access to systems and networks allows us to stop people who are not allowed to view your personal information from accessing it.
- Regular testing of our technology and ways of working including keeping up to date with the latest security updates (commonly called patches).

How long is personal information stored?

Personal data is stored in line with the school's retention guidelines, in accordance with the GDPR Data Protection Policy.

In accordance with UK GDPR, the school does not store personal data indefinitely; data is only stored for as long as necessary to complete the task for which it was originally collected or to meet statutory requirements for data retention.

Is personal information processed outside the European Economic Community (EEC)?

We do not process your personal information outside the EEC as a rule. Should this change we will advise you of this and request any required consents.

What are your information rights?

You have the right to:

- Be informed about how your personal data is used;
- Request access to the personal data held;
- Request that your personal data is amended if it is inaccurate or incomplete;
- Request that your personal data is erased where there is no compelling reason for its continued processing;
- Request that the processing of your data is restricted;
- Object to your personal data being processed;
- Request your information be transmitted in a commonly used and machine-readable format to another data controller;
- Not be subject to automated decision-making including profiling.

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time. To do this you can contact the GDPR Team: gdperteam@durhamjohnston.org.uk.

You also have the right to request a copy of the personal data the school holds about you. You might not want all of the personal data that the school holds about you and we may be able to respond more quickly if you explain this and identify the specific data you want.

When making a data subject access request (DSAR), which can be made verbally or in writing, please include the following information:

- Your name and contact details.
- Any details or relevant dates that will help the school to identify what you want.

We are required to respond within 1 month of your request (and up to 2 months beyond this for very exceptional circumstances). If we cannot respond within 1 month we will write to you to tell you this and explain the reason(s) for it, however our aim is to respond to you within 15 days. We may be able to respond more quickly to your request if you contact us via the following email address: gdperteam@durhamjohnston.org.uk.

The school may need to satisfy itself as to the identity of the person making the request. The requester must provide evidence of their identity, we will ask you to send or bring in proof of ID including proof of address and a recognised form of photo ID (i.e. passport, driving licence).

IMPORTANT INFORMATION

- If you have any questions or queries about the Privacy Notice then please contact the GDPR Team: gdperteam@durhamjohnston.org.uk.
- If you have a concern about the way Durham Johnston School is collecting or using your personal data, you can raise a concern with our GDPR Team via: gdperteam@durhamjohnston.org.uk
- We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by the GDPR Team, then you can contact the DPO on the details below:

Data Protection Officer: Judicium Consulting Limited
Address: 72 Cannon Street, London, EC4N 6AE
Email: dataservices@judicium.com
Web: www.judiciumeducation.co.uk
Lead Contact: Craig Stilwell

- If your complaint is not resolved to your satisfaction and you wish to make a formal complaint you can contact the Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday-Friday 9am-5pm.
- This Notice is regularly reviewed. This is to make sure that we continue to protect your privacy. We reserve the right, at all times to update, modify or amend the Notice. We suggest that you review the Notice from time to time to ensure you are aware of any changes, however we will not significantly change how we use information you have already given to us without your prior agreement. The latest version of the Notice can be found at www.durhamjohnston.org.uk.