



Privacy Notice for Governors

How we use your information

2023/24

Who are we?

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

The Futures Trust is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: ZA154781.

You can contact the school as the Data Controller in writing at: President Kennedy School, Rookery Lane, Coventry CV6 4GL or email Reception@pks.coventry.sch.uk

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.

What personal information do we process about Governors?

The categories of personal information that we collect, hold and share includes but is not restricted to:

- Personal information such as name, any former names, address, date of birth, occupation nationality, telephone and email contact details,
- References
- Evidence of qualifications
- Employment details
- Records of Business and Pecuniary Interests

'Special category' personal information reveals 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 'special category' personal information do we process about Governors?

This includes, but is not restricted to:

- Information about any health conditions you have that we need to be aware of
- Information about disability and access requirements
- Photographs and CCTV images captured in school

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

For what purposes do we use personal information?

We use Governor data to:

- Establish and maintain effective governance
- Meet statutory obligations for publishing and sharing governor details
- Facilitate safe recruitment, as part of our safeguarding obligations towards students
- Undertake equalities monitoring
- Fulfill statutory obligations
- Communicate relevant information to individuals or groups or Local Governing Bodies for the purpose of them carrying out their roles and responsibilities as a Governor.

Use of your personal data in automated decision making and profiling

We do not currently process any governors' personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

Collecting Governor information

While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

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.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts or tribunals

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. Data Protection law sets out the lawful reasons we have to process your personal information and these are as follows:

1) To comply with the law

We collect and use general purpose staff information in order to meet certain legal requirements and legal obligations placed upon the school by UK law. We therefore have the right to process your personal information for such purposes without the need to obtain your consent.

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.

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 is processed 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 Futures Trust to ensure that Governors receive the training 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 Governors are properly supported and able to fulfil their role and responsibilities.

Details of the type of processing that we may undertake on this basis and who we may share that information with is set out in Table 4.

In certain circumstances, an individual has the right to object to any processing where it is likely to cause or is causing harm or distress. To exercise this right, individuals should do so by contacting President Kennedy School to inform them of their reasons for the objection. These reasons should relate to your specific circumstances. Upon receipt of an objection, President Kennedy School will consider the reasons for the objection and balance this against the legitimate grounds to process data

5) We have a legitimate interest

Occasionally we have reasons to process information which fall outside of our usual day-to-day school functions. Details of the type of processing that we may undertake on this basis are set out in Table 5.

In certain circumstances, an individual has the right to object to any processing where it is likely to cause or is causing harm or distress. To exercise this right, individuals should do so by contacting President Kennedy School to inform them of their reasons for the objection. These reasons should relate to your specific circumstances. Upon receipt of an objection, President Kennedy School will consider the reasons for the objection and balance this against the legitimate grounds to process data.

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) Necessary for carrying out obligations and exercising specific rights in relation to employment and social security and social protection law
- 3) Processing relates to personal data which is manifestly made public by the data subject
- 4) Necessary for establishing, exercising or defending legal claims
- 5) Necessary for reasons of substantial public interest
- 6) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 7) Necessary for archiving, historical research or statistical purposes in the public interest

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

Who might we share your information with?

We do not share information about you with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with UK data protection law), we may share personal information about you with:

- Government departments or agencies – to meet our legal obligations to share information about governors
- Our local authority (Coventry City Council) – to meet our legal obligations to share certain information with it, such as details of governors, safeguarding concerns, etc
- Our regulator - Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as governor support
- Professional advisers and consultants
- Employment and recruitment agencies
- Police forces, courts and tribunals
- Administrative software
- Our school website

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.

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

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

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

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

Transferring data internationally

Where we transfer personal data to a country or territory outside the UK, we will do so in accordance with data protection law.

What are your rights with respect of your personal information?

Under data protection law, Governors have the right to request access to information about them that we hold. To make a request for your personal information contact the School Data Protection Officer at Warwickshire Legal Services via email at 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, please note that this is not an absolute right and you will need to provide reasons for your objection
- 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
- Rectify incorrect information

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 by contacting the school Data Champion:

Rebecca Fawcett at Fawcett@pks.coventry.sch.uk or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Review

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated in September 2023. This privacy notice is reviewed annually or earlier in response to statutory changes.

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
Full Name and title	Companies Act 2006, s167D	Companies House	Legal Obligation (Companies Act 2006, s162)
Date of birth	Companies Act 2006, s167D	Companies House	Legal Obligation (Companies Act 2006, s162)
Country or state of residence	Companies Act 2006, s167D	Companies House	Legal Obligation (Companies Act 2006, s162)
Nationality	Companies Act 2006, s167D	Companies House	Legal Obligation (Companies Act 2006, s162)
Occupation	Companies Act 2006, s167D	Companies House	Legal Obligation (Companies Act 2006, s162)
DBS Number	Education (Independent School Standards) Regulations 2014.		

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 are required to 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)
Personal Information (Address / Date of Birth / contact information)	DfE	Legal Obligation - s.538, Education Act 1996
Email Address	Other governors and members of staff SIMS (Parent and Staff Governors only) , Office 365, Outlook, Chair of Governors email on Safeguarding Policy	Public Task (to establish email address on secure server)
Date of appointment	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 Business Interest – including governance roles in any other educational institutions.	Published on website	Public Task (to comply with statutory guidance)
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	Public Task (to comply with statutory guidance)

Table 5 - Personal information we process because we have a legitimate interest

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Images captured on our CCTV system	N/A	This is not shared routinely	N/A