



Walsall Council

School Governance Services Privacy Notice

This privacy notice is for the use of service users/ customers of Walsall Metropolitan Bough Council's Governance Services in fulfilment of our responsibility as a data controller under data protection law.

Governance Services keeps information about school governors, associate members and clerks. All personal data is processed in accordance with the UK's Data Protection Act 2018 and the General Data Protection Regulations that came into force on the 25 May 2018. The privacy notice explains the personal data that Governance Services collects and how it is processed.

You are entitled to know what personal data we use, why we use it, how we store it and for how long, and who we might share it with and why. Personal data is any information which provides details about an individual to someone else. The individual must be identifiable from the information, if the information is fully anonymised it is no longer classed as personal information.

Information we collect and use

Personal information - name, address, contact telephone/s, mobile telephone/s, and email/s, declarations of interest

Governance membership – current and past category of governor, term/s of office, any responsibilities e.g. chair, vice chair, safeguarding governor.

Special category data - Characteristics – gender (male/female), and ethnicity.

Minutes of governance meetings – not routinely requested but may be requested as part of an external review of governance or as part of actions in accordance with Schools Causing Concern guidance or relevant local authority duty. Governing board minutes are public documents (excluding confidential minutes) and should be available on request to any person requesting them.

Why do we collect and use personal information

Without the information we collect and require or share, Governance Services would not be able to provide you with the services or support for which we have contractual and legal obligation to deliver.

In particular, we will use information about you:

- To ensure we have current contact details of all governors to fulfil our statutory duties.
- To monitor vacancies and support with filling these positions.
- To ensure LA governors meet the required eligibility of all appointed governors and as LA governors
- To monitor the make-up of Governing Boards across Walsall to reflect the communities they serve.
- To update you on key changes to school governance, to highlight local and national good practice, and to inform you of changes in legislation.
- To inform you of training Walsall Governance Services is providing.

How we collect information

The information is usually provided to the Governance Services Team by the clerk to governors, who has collected the relevant information from the Governing Board as part of the school's statutory duties. However, information can also be provided from the chair, headteacher or individual governors directly.

Whilst the LA school governance obligations/duties cover all maintained schools we also hold academy and free school information to support Schools Causing Concern obligations. If supplied (by consent) via the clerk this enables us to fulfil our statutory communication and training duties.

Purpose for processing and lawful basis

The lawful basis under which we process your information and the linked reason for processing is:

Governors hold an important public office and as part of a Local Authority's (LA's) legal statutory duties and public obligations, the LA is required to hold certain governor information. The summary information below identifies the various legislation which requires personal information from governing boards to fulfil its obligations. In short it is not possible for the LA to perform its statutory functions without processing the relevant personal data.

<p>Check and make the Instrument of Government (IoG) for all maintained schools</p>	<p>Education Act 2002 – Part 3, chapter 1 – section 20</p> <p>The School Governance (Constitution)(England) Regulations 2012</p> <p>The School Governance (Federations)(England) Regulations 2012</p>
---	---

	The School Governance (Constitution and Federations)(England)(Amendment) Regulations 2017
Nominate LA governors to all maintained schools	Education Act 2002 – section 19 (2) c The School Governance (Constitution)(England) Regulations 2012
Provide information and signpost training on essential governance issues	Education Act 2002 - Section 22
Set up temporary GBs for new maintained schools	Education Act 2002 – section 34 School Governance The School Governance (Miscellaneous Amendments)(England) Regulation 2015
Appoint parent governor representatives on LA forums dealing with education (scrutiny committee) (carried out by the Council's Democratic Service)	Education Act 1996 – Section 499 The Parent Governor Representatives (England) Regulations 2001 (3)
Support GBs of schools at risk or in a category	Education and Inspections Act 2006

There may be occasions when we use and/or share your information in order to protect you or another individual and prevent serious harm.

In circumstance where none of the above lawful reasons apply we will only collect and use your information with your consent. Please note you can withdraw your consent to the processing of non-statutory personal data at any time by contacting us at our main address (detailed below).

Special Category Data

Special category data is information which is deemed particularly sensitive and which unlawful processing could create risks to you. The following information is classed as special category:

Race, Ethnicity, Political Opinion, Religious or Philosophical Beliefs, Trade Union Membership, Genetic and Biometric Information, Health, and Sexual Orientation.



Walsall Council

When using your information we must make sure that we have a lawful reason to do so. The reasons the Governance Services Team will primarily use for the processing of your special category information are:

- Necessary for reasons of substantial public interest;
- Necessary for archiving purposes in the public interest, scientific or historical research;

In circumstance where none of the above lawful reasons apply we will only collect and use and or share your information with an appropriate legal and justified reason or your explicit and informed consent. Please note you can withdraw you consent to this processing at any time by contacting us at our main address (detailed below)

How we store this information

- Your data is stored on a dedicated governor database.
- The database is stored on a secure Walsall Council server.
- The data base is password protected with restricted access to the Governance Services Team.

Who we may share your information with

In order for Governance Services to carry out their legal and statutory duties, we may need to share your information with the following:

- Clerks, chairs, headteachers on request form their own Governing Boards.
- Chairs, vice chairs contact information with council officers for use in an emergency or where they require it for a legal and legitimate reason e.g. Schools causing concern issues.
- LA governor application forms with the Director of Children's Services and the Portfolio Holder of Children's services to approve nominations.
- On request from the Regional Schools Commissioner or Department for Education (DfE) – Section 538 of the Education Act 1996.

Personal information is not shared by Governance Services with members of the public, but governors' details are published by the school on their school website. If it is important for someone to be in contact with a governor, the service will take individuals details and pass on as appropriate to e.g. the chair of governors.

Membership changes or details of whole Governing Boards/ individual governors/ associates/ clerks are sent to the relevant person (clerk, headteacher or chair) via secure emails. If a non-personal data item needs to be communicated e.g. training information, briefing notes, newsletter, we send these via blind copy e-mail.

How long we will hold your information

Currently the information is kept electronically and is 'live' for as long as an individual is a serving governor, associate member or clerk. Once they are no longer a serving governor/associate member/clerk the information is archived so that the service no longer contacts you. The data base is updated only on advice from the clerk/chair so it is important that the clerk informs us of any changes – using a secure means.

The archived data can still be retrieved if necessary for purposes of long services awards or if historic information is required

Your rights

You have the following rights with regard to your personal information:

Right to be informed – You have the right to know the following:

- what information we intend to collect;
- why we need your information;
- the lawful basis under which we can process your information;
- how we will process your information;
- whether we share your information;
- who we might share your information with
- your rights until the law;
- how long we will retain your information and how you can contact us.

This Privacy Notice should have detailed all of the above but if for any reason you are dissatisfied with our stewardship of your information, you have the right to lodge a complaint with the Information Commissioners Office (ICO), contact details are provided below.

Access to your information – If you would like to know what information we hold and process about you, the category of information, who we share your information with, to ascertain the accuracy of the information and the criteria we apply in processing your information, you can make a request to us in writing.

To make a subject access request and receive a copy of your personal information, contact Information Rights at:

Information Rights
Resource and Transformation Directorate
Walsall Council
Civic Centre
Darwall Street
Walsall



Walsall Council

WS1 1TW

Telephone: 01922 650000

By email: informationrights@walsall.gov.uk

Please be aware we will need you to provide appropriate identification but you can find details of this and everything else about our Subject Access Request process on our website or by typing the link below into your computer browser:

https://go.walsall.gov.uk/access_to_my_personal_records

We should respond to your request within 30 days of receipt but if the request is complex and more time is required we will inform you in writing.

Rectification of your information – If it is established that information we hold about you is incorrect, you have the right to request that we correct this information.

Erasure of your information – In cases where the information we hold about you is no longer required in relation to the purpose for which it was collected and where there are no lawful grounds for holding your information, you can request an erasure of information.

The Right to Restrict processing – You can restrict us from using your information if you believe the data is inaccurate or if there are no lawful grounds for using the information but you do not want us to delete the information. In addition you can prevent us from deleting information we no longer use or need if you require it for a legal claim or defence.

Following investigation, if it is determined that the right to restrict processing should not apply the Council will inform you of reasons for this before the restriction is lifted.

Right to Data Portability – You have the right to request that information we hold about you be transferred to another public authority or other controller. Your data portability request will have to be made in writing, we will assess your request in accordance with the provisions of the GDPR to ascertain if your request is covered under the law. Our response will contain our decision regarding the viability of your request and asking you to choose between the following:

- If you want the information handed to you;
- If you would like the information transferred directly to the public authority or other controller.

Right to Object – If you object to the Council using your information in the ways detailed about we will cease to process your information unless we can show there are legitimate reasons which override your interests.



Walsall Council

Whether or not you have legitimate grounds to object to processing of your information, the Council will respond to your request within one month stating that your request has been upheld or the reasons for not upholding your request if that is the case.

Walsall Metropolitan Borough Council's Data Protection Officer (DPO) is Paul Withers. If you have any questions about your rights under the GDPR, how the Council uses your information, or you wish to make a complaint about how we have processed or utilised your data, Paul will be able to help. How to contact our DPO:

Contact Address:

Office of the DPO
Resources & Transformation Civic Centre 3rd Floor (HR Suite)
Walsall Council
Darwall Street
Walsall
WS1 1TP

Email Address:

Informationmanagement@walsall.gov.uk

Contact Telephone Number:

01922 650970

Should you be dissatisfied with the response you receive, you can contact the Information Commissioner's Office (ICO) with the details given below:

ICO

Address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Email Address:

Use the online form via this link <https://ico.org.uk/global/contact-us/email/>

Telephone Numbers:

Calling from within the UK 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate.

Calling from outside the UK +44 1625 545 745.



Walsall Council

