

Registered Address: Mountdale Gardens, Leigh-on-Sea, Essex SS9 4AW

Chief Executive Officer: Mrs. J. Mullan

Telephone: (01702) 524193

Fax: (01702) 526761

SEN Trust Southend



SEN Trust Southend



INDIVIDUAL RIGHTS POLICY

SEN TRUST SOUTHEND

KINGSDOWN SCHOOL

LANCASTER SCHOOL

ST. NICHOLAS SCHOOL

THE ST. CHRISTOPHER SCHOOL

CREATED:	MAY 2019
REVIEWED:	MARCH 2023
NEXT REVIEW DATE:	MARCH 2025



Contents

Context	3
1. The Right to be Informed	3
2. The Right of Access (Subject Access Requests).....	3
2.1 Response Times	3
2.2 Subject Access Request - Fees	3
2.3 Refusal to Respond	3
2.4 How the Information is Issued	4
3. The Right to Rectification	4
3.1 Right to Rectification Timeframe	4
3.2 Right to Rectification – Third Parties	4
4. The Right to Erasure	4
4.1 When the Right to Erasure Applies	4
4.2 Refusal to Comply with Right to Erasure Request.....	5
4.3 The Right to Erasure of Children’s Data	5
4.4 Informing Third Parties of Erasure	5
5. The Right to Restrict Processing	5
5.1 When the Right to Restrict Processing Applies	5
5.2 Informing Third Parties of Restriction of Processing	5
6. The Right to Object	6
6.1 Compliance with the Right to Object for the Performance of a Legal Task	6
Appendix 1: Privacy Notice to Parents	7
Appendix 2: Privacy Notice to Staff	13
Appendix 3: Privacy Notice to Governors, Trustees and Members.....	19

Context

Under the General Data Protection Regulations (GDPR) which came into force in May 2018, organisations are required to ensure that provision of individual rights are made.

SEN Trust Southend is committed to ensuring provision of an outstanding education to its pupils. In order to carry out its legal obligations it is required to collect personal data about the pupils and specific information about their parents.

1. The Right to be Informed

The 'right to be informed' encompasses the Trust's obligation to provide 'fair processing information'. We meet our obligation by issuing Privacy Notices to staff and parents [**Appendix 1 and 2**]. Information supplied by SEN Trust Southend is:

- Concise, transparent, intelligible and easily accessible. The Privacy Notice adopted by SEN Trust Southend was recommended by the Department for Education (DfE) to ensure it is compliant. It is concise and outlines the purpose of data collection along with details of third parties with whom we may share that information. It is issued to staff on appointment and annually thereafter. An electronic version is stored on each school's network.
- Written in clear, plain English
- Free of charge

2. The Right of Access (Subject Access Requests)

Staff at SEN Trust Southend and parents of children attending each of the schools have the right to obtain:

- Confirmation that their data is being processed
- Access to their personal data
- Other supplementary information

The GDPR clarifies that the reason for allowing individuals to access their personal data is so that they are aware of, and can verify the lawfulness of, the processing. Requests for access are referred to as *Subject Access Requests*.

2.1 Response Times

Subject Access Requests are handled by the Headteacher at each school acting for the Trust as data controller. Such requests will be dealt with within one month of receipt of request. SEN Trust Southend has the right to extend the period by a further two months where the requests are numerous or complex. However, the Trust will inform the individual of this extension within one month of receipt of the request.

2.2 Subject Access Request - Fees

The GDPR states that organisations will not charge a fee for provision of access unless the request is manifestly unfounded or excessive, particularly because they are repetitive. In accordance with this, SEN Trust Southend has the right to charge a reasonable fee which is calculated on the amount of administrative time required to fulfil the requirements of the request. The individual will be informed of the fee within one month of the request being made.

2.3 Refusal to Respond

The Trust has the right to refuse to respond to a request that is *manifestly unfounded or excessive*. In the event that the Trust refuses to respond it will inform the individual, without undue delay and within one month, of the reason for the refusal and their right to complain.

2.4 How the Information is Issued

In ensuring compliance with data protection legislation the Trust will verify the identity of the person making the request using 'reasonable means'. This will be through identity checking.

Information may be supplied electronically or in paper format. An analysis will be made to determine which of the formats is the most appropriate and the decision will be agreed between the person making the request and the Trust. In the event that the information is supplied electronically it will be provided in PDF format.

Whilst the GDPR recommends good practice to have access to a self-service portal this is not possible at SEN Trust Southend.

3. The Right to Rectification

The GDPR gives individuals the right to have personal data rectified if it is inaccurate or incomplete.

3.1 Right to Rectification Timeframe

SEN Trust Southend will respond to individuals within one month. Where the request for rectification is complex, the Trust reserves the right to extend this timeline to two months.

In the event that the Trust is not taking action in response to a request for rectification we will explain to the individual, in writing, and outline the reasons for this along with their right to complain.

3.2 Right to Rectification – Third Parties

Where a third party has information about an individual that requires rectification, the Trust will inform those parties without undue delay.

4. The Right to Erasure

The right to erasure is also known as the 'right to be forgotten'. The broad principle underpinning this right is to enable an individual to request the deletion or removal of personal data where there is no compelling reason for its continued processing.

4.1 When the Right to Erasure Applies

Individuals have the right to have personal data erased and to prevent further processing in specific circumstances:

- Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed.
- When the individual withdraws consent.
- When the individual objects to the processing and there is no overriding legitimate reason for continuing the processing.
- The personal data was unlawfully processed (ie in breach of GDPR).
- The personal data has to be erased in order to comply with a legal obligation.
- The personal data is processed in relation to information society services to a child.

Under GDPR the right to erasure is not limited to processing that causes unwarranted and substantial damage or distress. However, if the processing does cause unwarranted and substantial damage or distress the case for erasure will be strengthened.

4.2 Refusal to Comply with Right to Erasure Request

In accordance with data protection legislation, SEN Trust Southend has the right to refuse to comply with requests for erasure where the personal data is processed for the following reasons:-

- To exercise the right of freedom of expression and information.
- To comply with a legal obligation for the performance of a public interest task or exercise of official authority.
- For public health purposes in the public interest.
- Archiving purposes in the public interest, scientific research, historical research or statistical purposes.
- The exercise or defence of legal claims.

4.3 The Right to Erasure of Children's Data

Schools have the right to collect pupil data in order to carry out its legal obligation for the performance of a public interest task. However, the GDPR enhances protection of children's data particularly in relation to online environments. Where consent has been given and a request for erasure is later received the Trust will remain mindful that the initial consent may have been given without full awareness of the impact of its use.

4.4 Informing Third Parties of Erasure

Where a school has disclosed personal data to third parties SEN Trust Southend will inform those parties, without undue delay, about the personal data erasure unless it is impossible or involves disproportionate effort to do so.

5. The Right to Restrict Processing

Individuals have the right to block or suppress processing of personal data. In these instances SEN Trust Southend shall be permitted to store data but not to process it further.

5.1 When the Right to Restrict Processing Applies

The Trust shall be required to restrict processing in the following circumstances:-

- Where an individual contests the accuracy of the personal data the Trust will restrict further processing until the accuracy of the personal data has been verified.
- Where an individual has objected to the processing (where it was necessary for the performance of a public interest task or purpose of legitimate interests), and the Trust is considering whether its legitimate reasons override those of the individual.
- When processing is unlawful and the individual opposes erasure and requests restriction instead.
- If the Trust no longer needs the data but the individual requires it to establish, exercise or defend a legal claim.

5.2 Informing Third Parties of Restriction of Processing

Where personal data becomes subject to restriction of processing and has been disclosed to a third party, SEN Trust Southend will inform the third party, without undue delay, unless it is impossible or involves disproportionate effort to do so.

When a school/the Trust decides to lift a restriction on processing it must inform the individual.

6. The Right to Object

Individuals have the right to object to:-

- Processing based on legitimate reasons or the performance of a task in the public interest/exercise of official authority.
- Direct marketing.
- Processing for purposes of scientific/historical research and statistics.

6.1 Compliance with the Right to Object for the Performance of a Legal Task

Individuals must have an objection on 'grounds relating to his or her particular situation'. SEN Trust Southend will stop the processing of personal data unless:-

- We can demonstrate compelling legitimate grounds for the processing, which overrides the interests, rights and freedoms of the individual; or
- The processing is for the establishment, exercise or defence of legal claims.

Individuals are informed of their right to object within the Trust's privacy notices. We will also inform individuals of their right to object at the point of the first communication and will be 'explicit and presented clearly'.

Appendix 1: Privacy Notice to Parents

Privacy Notice (How we use pupil information)

This privacy notice sets out how each school within SEN Trust Southend collects information about pupils. **The St. Christopher School** is the data controller for the use of personal data in this privacy notice.

As a school we collect a significant amount of information about our pupils. This notice explains why we collect the information, how we use it, the type of information we collect and our lawful reasons to do so.

What type of data is collected?

The DfE and government requires us to collect a lot of data by law, so that they can monitor and support schools more widely, as well as checking on individual schools' effectiveness.

The categories of pupil information that we process include:

- Personal information – (such as name, unique pupil number, contact details and address)
- Characteristics – (such as ethnicity, language, and free school meal eligibility)
- Safeguarding information (such as court orders and professional involvement)
- Special educational needs (including the needs and ranking)
- Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Assessment and attainment information (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- CCTV, photos and video recordings of you are also personal information
- Free school meal and other catering information

This list is not exhaustive. Please contact the school for further information.

Why do we collect data?

We collect and use pupil data for the following purposes:

- To support pupil learning
- To monitor and report on pupil attainment progress
- To provide appropriate pastoral care
- To assess the quality of our services
- To keep children safe (e.g. food allergies, emergency contact details)

- To meet the statutory duties placed upon us for the Department of Education (DfE) data collections
- To fulfil our statutory obligations to safeguard and protect children and vulnerable people
- To enable targeted, personalised learning for pupils
- To manage behaviour and effective discipline
- To comply with our legal obligations to share data
- To keep pupils, parents and carers informed about school events and school news

Our Legal Obligations

We must make sure that information we collect and use about pupils is in line with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share that with another organisation or individual, we must have a legal basis to do so.

The lawful basis for schools to collect information comes from a variety of sources, such as the Education Act 1996, Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013, Article 6 and Article 9 of the UK GDPR.

The Department for Education and Local Authorities require us to collect certain information and report back to them. This is called a 'public task' and is recognised in law as it is necessary to provide the information.

We also have obligations to collect data about children who are at risk of suffering harm, and to share that with other agencies who have a responsibility to safeguard children, such as the police and social care.

We also share information about pupils who may need or have an Education Health and Care Plan (or Statement of Special Educational Needs). Medical teams have access to some information about pupils, either by agreement or because the law says we must share that information, for example school nurses may visit the school.

Counselling services, careers services, occupational therapists are the type of people we will share information, so long as we have consent or are required by law to do so.

We must keep up to date information about parents and carers for emergency contacts.

Collecting pupil information

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Storing pupil data

We hold pupil data for as long as the school/Trust is required to hold it. Pupil data is held for as long as the pupil attends their school within SEN Trust Southend or for as long as is required by law.

Who do we share pupil information with?

We routinely share pupil information with:

- Schools that the pupil attends after leaving us
- Our local authority
- Local authority where the pupil resides or is in care of
- The Department for Education (DfE), including any exam boards working on behalf of the DfE
- School Counsellor (if required)
- Staff (as required)
- Allocated school paediatrician/doctor/dentist/Health authority
- School passenger transport
- Youth support services
- Post 16 education and training providers
- Careers advisers

Why we regularly share pupil information

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so. We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with our local authority and the DfE as part of the school census return under regulation 5 of The Education (Information about Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls, which meet the current [government security policy framework](#).

Requesting access to your personal data

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact the school office in person, by telephone on 01702 524193 or email office@tscs.southend.sch.uk

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete

- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to 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 produces a legal or similarly significant effect on you

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 or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

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 the school office in person, by telephone on 01702 524193 or email office@tscs.southend.sch.uk

How Government uses your data

The pupil data that we lawfully share with the Department for Education (DfE) through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD). The NPD is owned and managed by the Department for Education (DfE) and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department for Education (DfE).

It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

Sharing by the Department for Education (DfE)

The law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department for Education's (DfE) NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

How to find out what personal information the Department for Education (DfE) holds about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

- 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 for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education'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 Department for Education (DfE): <https://www.gov.uk/contact-dfe>

Contact:

If you would like to discuss anything in this privacy notice please contact:

Jackie Mullan, Chief Executive Officer, SEN Trust Southend

Tel: 01702 524193

Email: office@tscs.southend.sch.uk

Appendix 2: Privacy Notice to Staff

Privacy Notice

The School Workforce: those employed to teach, or otherwise engaged to work at SEN Trust Southend

How we use school workforce information

SEN Trust Southend is the Data Controller for the use of personal data in this privacy notice.

The school has engaged the services of SBM Services (uk) Ltd to carry out the DPO duties on our behalf. They can be contacted by email on info@sbmservices.co.uk or by phone on 01206 671103.

The categories of school workforce information that we collect, process, hold and share include:

- personal information (such as name, employee or teacher number, national insurance number, address, next of kin, contact details)
- characteristics information (such as gender, age, ethnic group)
- contract information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- medical information
- other personal information
- references

Why we collect and use workforce information

We share information to comply with statutory, regulatory and contractual obligations. These may include, but are not limited to:

- improving the management of workforce data across the sector enabling development of a comprehensive picture of the workforce and how it is deployed
- pay salaries and pension contributions
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning
- enabling ethnicity and disability monitoring
- supporting the work of the School Teachers' Review Body
- comply with guidance such as 'Working Together' and safeguarding obligations
- facilitating good governance
- internal reviews and quality monitoring
- CPD and staffing issues

If we are required to comply with other legal obligations not listed above, we will share data only when it is lawful to do so.

We use workforce data to:

- a) enable the development of a comprehensive picture of the workforce and how it is deployed
- b) inform the development of recruitment and retention policies
- c) enable individuals to be paid

Collecting workforce information

Workforce data is essential for the school's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with UK 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.

Who we share workforce information with

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- safeguarding and protection for children and vulnerable adults
- payroll services
- legal advisers
- insurance providers
- HMRC
- Teacher Pension Scheme and the Local Government Pension Scheme (and other pension providers)
- health professionals

The lawful basis on which we process this information

We must make sure that information we collect and use about our workforce is in line with the UK GDPR and Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share that with another organisation or individual we must have a legal basis to do so.

The lawful basis for schools to collect and process information comes from a variety of sources, such as Article 6 and Article 9 of the UK GDPR and the Safeguarding of Vulnerable Groups Act 2006. We also have obligations to organisations such as HMRC and the Department of Work and Pensions.

We will not share information about you with third parties without your consent unless the law allows us to. We are required, by law, to pass on some of this personal data to:

- Our Local Authority, Southend on Sea Borough Council
- The Department for Education
- Payroll bureau

Local Authority

We are required to share information about our workforce members with our 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)

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

We are required to share information about our school employees with our local authority (LA) and the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

The department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The department has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested; and
- the arrangements in place to securely store and handle the data

Payroll Provider

We are required to share information about our workforce members with the payroll provider to ensure the workforce are paid in accordance with terms of their employment.

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

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>

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 your school office directly.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- 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

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact 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 the Department for Education (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 the school office in person, by telephone on 01702 524193 or email office@tscs.southend.sch.uk

How Government uses your data

The workforce data that we lawfully share with the Department for Education (DfE) through data collections:

- informs Department for Education (DfE) policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

Data collection requirements

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>

Sharing by the Department for Education (DfE)

The Department for Education (DfE) may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department for Education (DfE) has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether the Department for Education (DfE) releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested; and
- the arrangements in place to securely store and handle the data

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

How to find out what personal information the Department for Education (DfE) holds about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

- 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 for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education'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 Department for Education (DfE): <https://www.gov.uk/contact-dfe>

Further information

If you would like to discuss anything in this privacy notice, please contact:

Jackie Mullan, Chief Executive Officer, SEN Trust Southend

01702 524193

office@tscs.southend.sch.uk

Appendix 3: Privacy Notice to Governors, Trustees and Members

Privacy Notice To Governors, Trustees and Members of SEN Trust Southend

How we use personal information on Get Information about Schools (GIAS)

SEN Trust Southend is the Data Controller for the purposes of data protection law.

The school has engaged the services of SBM Services (uk) Ltd to carry out the DPO duties on our behalf. They can be contacted by email on info@sbmservices.co.uk or by phone on 01206 671103.

The Categories of governance information that we process include:

- personal identifiers, contacts and characteristics (such as name, date of birth, contact details and address)
- governance details (such as role, start and end dates and Governor ID)

Why we collect and use governance data

The personal data collected is essential, in order for the school to fulfil their official functions and meet legal requirements. We collect and use governor information, for the following purposes:

- a) To meet the statutory duties placed upon us
- b) Enable the development of a comprehensive picture of governance and how it is deployed
- c) To enable appropriate checks to be completed
- d) Enable individuals to be kept informed of governance training, book training and relevant information
- e) To inform relevant authorities/organisations of a member/trustee/governor/clerk appointment
- f) To undertake our responsibilities for safeguarding children
- g) To communicate with you
- h) To comply with the law regarding data sharing

Our lawful basis for using this data

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- fulfil a contract we entered into with you
- comply with a legal obligation
- carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- you have given us consent to use it in a certain way
- we need to protect your vital interests (or someone else's interests)

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so. Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds to justify the school's use of your data.

Collecting governance information

Governance roles 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 UK 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.

How we store this data

We maintain a file for Governors, Trustees and Members. The information contained in this file is kept secure and is only used for purposes directly relevant to your work with the school. Once your term of office with us has ended, we will retain this file and delete the information in it in accordance with our record retention schedule. A copy of the records, retention and disposal policy can be obtained from the school office or is available on the school website.

Data sharing

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so. Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

- our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about the school Local Governing Body
- The Department for Education
- Our regulator e.g. Ofsted
- Central and local government
- Our auditors
- Companies house
- Governor services
- The governance professional
- Security organisations
- Professional advisers and consultants
- Police forces, courts, tribunals
- Professional bodies

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 your school office directly.

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 produces a legal or similarly significant effect on you

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

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 the school office in person, by telephone on 01702 524193 or email office@tscs.southend.sch.uk

How Government uses your data

The governance data that we lawfully share with the Department for Education (DfE) via GIAS will:

- increase the transparency of governance arrangements
- enable local authority maintained, academies, academy trusts and the Depart for Education (DfE) to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context
- allow the Department for Education (DfE) 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 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>

Some of these personal data items are not publicly available and are encrypted within the GIAS system. Access is restricted to a small number of Department for Education (DfE) and education establishment users with a Department for Education (DfE) Sign-in account 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 for Education (DfE), unless the law allows it.

How to find out what personal information the Department for Education (DfE) holds about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

- 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 for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education'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 Department for Education (DfE): <https://www.gov.uk/contact-dfe>

Further information

If you would like to discuss anything in this privacy notice, please contact:

Jackie Mullan, Chief Executive Officer, SEN Trust Southend
01702 524193
office@tscs.southend.sch.uk