



# HARTLEPOOL BOROUGH COUNCIL

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### PRIVACY NOTICE FOR GOVERNOR SUPPORT SERVICES

#### **What is the purpose of this document?**

Hartlepool Borough Council (HBC) is committed to protecting the privacy and security of your personal information.

This privacy notice is issued in accordance with the General Data Protection Regulation (GDPR) and describes how we collect and use personal information about you in:

- i) Connection with your application to become a school governor
- ii) your role as a school governor

This notice applies to information we hold about you.

We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

#### **The Data Protection Legislation**

We will comply with data protection law which includes the GDPR and the Data Protection Act 2018 which states that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

No personal information held by us will be processed unless the requirements of the Data Protection legislation for fair and lawful processing can be met.

### **Who is the Data Controller?**

HBC is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice. The Educational Establishment shall be the Data Controller of all information it holds. Upon the provision of information to the Council, the Council shall also become a Data Controller of that information.

### **Who is the Data Protection Officer?**

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this notice or how we handle your personal information, please contact the DPO:

Laura Stones,  
Legal Division  
Hartlepool Borough Council  
Civic Centre  
Hartlepool  
TS24 8AY

[dataprotection@hartlepool.gov.uk](mailto:dataprotection@hartlepool.gov.uk)

You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues.

### **What kind of information we hold about you?**

#### **Personal Information**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection.

We will collect, store, and use the following categories of personal information about you:

- Name and address
- Telephone and email address

- Employment details
- Details of skills relevant to your application or role as a school governor
- Attendance at governing body meetings and training events
- Terms of office as a school governor

### How is your personal information collected?

We collect personal information directly from you e.g. via application forms, skills audit assessments and correspondence. Occasionally we may ask the school at which you are a governor for your contact details or governor recruitment agencies with whom you have registered an interest.

### How we will use information about you?

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

(a) **where** the processing is necessary for us to comply with the law namely

School, Governance Constitution)(England)Regulations2012

School Governance (Roles, Procedures and Allowances) (England) Regulations 2013.

The School Information (England)(Amendment) Regulations 2012

(b) **where** the processing is necessary for us to perform a task in the public interest or for our official functions as Clerk to the Governing Body , Board of Directors or Board of Trustees the task or function has a clear basis in law namely

School, Governance Constitution)(England) Regulations2012

School Governance (Roles, Procedures and Allowances) (England) Regulations 2013.

The School Information (England)(Amendment) Regulations 2012

### Situations in which we will use your personal information

We need all the categories of information in the list above (see ***What kind of information we hold about you?*** above) primarily to allow us to

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

<b>Reason for Processing</b>	<b>Legal Basis e.g. Public Task/Contract etc</b>
<p>To contact you with regards to your role as a school governor e.g. information regarding attendance at meetings of the governing body including an agenda and supporting documents for meetings. Information regarding training for governors, general correspondence in connection in your role as a school governor.</p>	<p><b>Legal Obligation and Public Task</b>            School governance legislation and guidance. School, Governance Constitution)(England)Regulations2012</p>
<p>Part of the school governor appointment process e.g. a pre appointment letter to newly appointed/elected governors which sets out details on how you should complete satisfactory clearance checks including Disclosure Barring checks. Following completion of clearance checks and references obtained in the case of all appointed governors (not elected governors i.e. parents/staff governors) an appointment letter confirming your term of office as a governor, an Instrument of government setting out the constitution of the governing body to which you have been appointed and induction guidance in relation to new governors. Details of training for new governors will be sent to you.</p>	<p>School governance legislation and guidance. School, Governance Constitution)(England)Regulations2012</p> <p>School Governance (Roles, Procedures and Allowances) (England) Regulations 2013.</p> <p>The School Information (England)(Amendment) Regulations 2012</p>
<p>In order to discharge your duties and support your effectiveness as a school governor details of training available e.g. briefing sessions delivered by the LA ,in house training offered by your school, online training provided by other organisations including NGA, Diocesan training for governors will be made available. Governor Skills audit for completion from time to time by governors to ensure that the governing body has the right skills in order to discharge their functions effectively</p>	<p>School governance legislation and guidance. School, Governance Constitution)(England)Regulations2012</p>
<p>To comply with school governance statutory requirement e.g. recording attendance at meetings. Details of any training undertaken by the governor. This information will be used by the school to fulfil their legal requirement along with other information gathered by the school such as positions held on the governing body ,any business interests and positions held on other governing bodies for display on the school website where the governor holds office</p>	<p>The School Information (England)(Amendment) Regulations 2012</p>
<p>Election of governors including parent</p>	

governors and staff governors.

A flyer will be distributed by the school for distribution to parents inviting nominations, a nomination form will be available to collect from the school setting out details of the number of parents of pupils on roll required to support the nomination and confirmation of children attending the school. The form will also set out details of disqualifications which prevent someone from serving as a school governor. Details of closing date and where other information on the role of a governor might be obtained.

Should an election be required a ballot paper will be provided for all parents setting out the names of the candidate. You may be asked to provide a pen portrait by your school in order that parents have more information about you. The counting of votes will be conducted at the school and candidates are invited to attend the count. The successful candidate will be sent a pre appointment letter as outlined above.

In the case of staff governor nominations are invited from all eligible staff and a nomination form is available to staff which requires details of a supporter and sets out details of disqualifications which prevents someone from serving as a governor. Elections if required are organised by the school. The successful candidate will receive an appointment letter as outlined above.

Some of the above grounds for processing will overlap and there may be more than one ground which justifies our use of your personal information.

### **What if I don't want to provide personal information?**

If you fail to provide certain information when requested, we may not be able to:

- i) Support you in your role as a school governor
- ii) Appoint or re-appoint you as a school governor
- iii) Support your school in complying with their legal requirements in respect of school governance

or we may be prevented from complying with our legal responsibilities in our role as clerk

## **Change of purpose**

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.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **Data Sharing**

We may have to share data with third parties, including third-party service providers and other entities.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We will not transfer your personal information outside the EU.

## **Why might you share my personal information with third parties?**

We will share your personal information with third parties where required by law or where it is necessary to provide an effective governor support service. Examples of the organisations we may need to share information with are:

- The school which you are a school governor
- Schools to which you may be considered for appointment
- Other departments within the LA who are supporting schools and their governing bodies
- Other LA departments e.g. HR ( in relation to governor 's staffing responsibilities), School Improvement Service ( with regard to training and supporting development of governors/governing bodies),
- Democratic Services (in respect of information to councillors serving on governing bodies)
- Children's Services Committee of the Council when considering the nomination of governors to serve as LA representatives on school governing bodies where vacancies currently exist for a governor in this category.

## **Which third-parties process my personal information?**

"Third parties" includes third-party service providers (including contractors and designated agents). The following third-parties process personal information about you for the following purposes:

- The school which you are a school governor
- Schools to which you may be considered for appointment
- Other LA departments e.g. HR ( in relation to governor 's staffing responsibilities), School

Improvement Service ( with regard to training and supporting development of governors/governing bodies), Democratic Services (in respect of information to councillors serving on governing bodies)

### **How secure is my information with third-party service providers?**

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions. Our data is managed by Northgate and the governance data base EYES, which is had been devised and managed by Liquid Logic .EYES data is also managed internally by the Corporate ICT Team of the Borough Council.

### **Data Security**

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

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. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the Data Protection Officer.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

### **Data Retention**

#### **How long will you use my information for?**

We will only retain your personal information for as long as necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy which is available from: [www.hartlepool.gov.uk/retention-schedules](http://www.hartlepool.gov.uk/retention-schedules).

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

## **Rights of Access, Correction, Erasure and restriction**

### **Your duty to inform us of changes**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

### **Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Data Protection Officer in writing.

**For further information on your rights please visit: [www.hartlepool.gov.uk/GDPR](http://www.hartlepool.gov.uk/GDPR)**

### **No fee usually required**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee for photocopying.

### **What we may need from you**



We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **Right to withdraw consent**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **Changes to this Privacy Notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

**If you have any questions about this privacy notice, please contact the DPO.**