

Newham Community Learning - Privacy Notice

For members, trustees, governors, staff and contractors

1. Who we are

Newham Community Learning is an education charity that exists solely to educate children for the public benefit. To run our Trust and help our schools improve outcomes for our children, we collect and use information about trustees, governors, staff and contractors.

Much of the information we collect is classed as 'personal data' and our use of it is covered by a set of rules called the General Data Protection Regulation (GDPR), and the Data Protection Act 2018.

This document tells you more about:

- The information we collect
- What we use the information for
- How your information is stored and how long we keep it
- What rights you have to the information

For the purposes of Data Protection legislation, Newham Community Learning is the Data Controller. This means it is in charge of personal data about you.

In this policy 'we' and 'us' means Newham Community Learning.

The postal address of the Trust is: Sarah Bonnell School, Deanery Road, Stratford, E15 4LP

The Data Protection Officer for the Trust is Jacqui Waine, Chief Operating Officer, who can be contacted on jacqui.waine@newhamcommunitylearning.org.

2. How we use your information



newhamcommunitylearning.org

Tel: 0203 102 4002 | Email: ceo.pa@newhamcommunitylearning.org | [@NCLTrust](https://twitter.com/NCLTrust)
Newham Community Learning, Sarah Bonnell School, Deanery Road, London E15 4LP

Newham Community Learning is a charitable company limited by guarantee and registered in England and Wales with Company Number 09896221. The registered office of the Trust is Sarah Bonnell School, Deanery Road, London, E15 4LP.

We process personal data relating to those we employ to work at, or otherwise engage to work, including voluntary positions within our Trust and our schools. [For staff] This is for employment purposes to assist in the running of the Trust and/or to enable individuals to be paid.

The information that we collect includes:

- Personal identifiers, contacts and characteristics (such as name, date of birth, contact details and postcode);
- Role details (such as role, start and end dates, attendance at meetings);
- Details of your past experience, and skills, including your suitability for the role;
- Records of communications using your Trust account (see ICT Acceptable Use Policy);
- Photographs of you stored on school CCTV (the Trust CCTV Policy is available on request; this details the way in which images are recorded, used, stored and deleted).

During the recruitment process we may receive information about you from your employer or previous employer(s). You will know about this because you will have supplied us with the relevant contact details on your Application Form/other documents supplied by you.

[For staff] This personal data includes identifiers such as names and national insurance numbers, employment contracts and remuneration details, qualifications and absence information. It will also include sensitive personal data such as ethnic group, medical information and trade union membership, which we may lawfully process under the provisions of the GDPR (General Data Protection Regulations).

Collecting and using your information as described above is lawful because:

- The processing is necessary for the performance of your role;
- The processing is necessary for the performance of a legal obligation to which Newham Community Learning is subject, for example our legal duty to safeguard pupils;
- The processing is necessary to protect the vital interests of others, i.e. to protect pupils from harm.
- The processing is necessary for the performance of our education function which is a function in the public interest.
- [For staff] The processing is necessary for the performance of your employment contract.

When we collect personal information on our forms, we will make it clear whether there is a legal requirement for you to provide it, and whether there is a legal requirement on the Trust to collect it. If there is no legal requirement then we will explain why we need it and what the consequences are if it is not provided.



In the case of trustees, governors, and contractors, we do not collect any special category personal data (eg. ethnicity, medical records, trade union membership and other special category information as defined in the GDPR).

3. Why we collect and use trustee, governor and contractor information

Data regarding this group of people is essential for our Trust and our schools' 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 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.

Specifically, we collect and use personal information, for the following purposes:

- To meet the statutory duties placed upon us;
- To safeguard the children who attend our schools;
- To facilitate the smooth operation of our governance processes and procedures, ensuring that trustees, governors and contractors are able to make a meaningful contribution to our Trust and our schools.

4. The legal basis for using personal data collected

GDPR identifies 6 lawful bases for processing personal data (available on [this page of the Information Commissioner's Office website](#)). Some examples of the processing that we undertake, and the lawful bases for it, are provided below:

- To meet the terms of a contract/voluntary agreement - eg. recording and storing your personal and contact details [Article 6, (b)].
- To meet a legal obligation - eg. providing details of our trustees and governors to the DfE (and publishing them on our trust and school websites, as appropriate). [Article 6, (c)]. Dependent on the specific role of the contractor, details may need to be published externally.
- To protect the vital interests of you or someone else - eg. providing your details to the emergency services [Article 6, (d)].
- Performing a public task - eg. retaining records of your attendance at trustee/governor meetings [Article 6, (e)].



5. How we share your information with third parties

We will not share information about you with third parties without your consent unless the law allows us to.

For trustees and governors, all maintained school governing bodies, under [section 538 of the Education Act 1996](#) and academy trusts, under the [Academy Trust Handbook](#), have a legal duty to provide the governance information.

We are required, by law, to pass on some of the personal data which we collect to:

- Our local authority, and
- The Department for Education (DfE): we are required to share information about our governors with the (DfE) under the requirements set out in the [Academy Trust Handbook](#)

We may also share your personal data with other organisations and people. We will only do this when we are legally required to do so, when our policies allow us to do so or when you have given your consent. For example, we may share your personal data with our third party providers, to enable them to perform any contract they have with Newham Community Learning [Article 6, (b)].

Where we share your personal data with someone who is a supplier or service provider, we have taken steps to ensure that they treat your personal data in a way that meets the requirements of the GDPR.

We disclose personal data about you to the Disclosure and Barring Service for the purposes of carrying out checks on your suitability for work with children.

[For staff] The collection of this information will benefit both national and local users by:

- improving the management of workforce data across the sector
- enabling development of a comprehensive picture of the workforce and how it is deployed
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning
- enabling ethnicity and disability monitoring; and
- supporting the work of the School Teachers' Review Body

[For staff] We disclose data about you to the following third parties:



- We disclose details about you including national insurance number and absence information to our payroll provider to enable you to be paid.
- We disclose details about you to our HR provider (currently npw - Newham Partnership Working) for the purposes of HR management. These include bank account details and your contact details.
- We share your identity and pay information with HMRC in conjunction with your legal obligation to pay income tax and make national insurance contributions.
- Where you have decided to become part of a salary sacrifice scheme such as that for child care vouchers, we share your details with the provider to the extent necessary for them to provide the vouchers to you.
- We share your details with your pension provider in order to make sure that you pay the correct amount and maintain your entitlement to a pension upon your retirement. For teachers the scheme is the TPS, for support staff the scheme is LGPS.

For all trustees, governors, staff and contractors, the various third party disclosures specified in this Notice are lawful because one of the following reasons applies:

- The disclosure is necessary for the performance of your employment contract;
- The disclosure is necessary for the performance of a legal obligation to which the Newham Community Learning is subject, for example our legal duty to safeguard pupils;
- The disclosure is necessary to protect the vital interests of others, i.e. to protect pupils from harm;
- The disclosure is necessary for the performance of our education function which is a function in the public interest.

If you require more information about how we and / or DfE store and use your personal data please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

6. How long we keep your personal information

We only keep your information for as long as we need it or for as long as we are required by law to keep it.

The personal data that we collect, and use, is held in a Restricted Access Shared Drive in the Trust's G Suite for Education secure domain, to which only the necessary people have access. We do not retain any paper records. We use email (using only school or Trust accounts) to enable authorised users to transfer information to one another.



We will retain your data, in electronic format, for six (6) years after the end of your term as a trustee or governor, after which time it will be deleted. For contractors, this period is one (1) year after the end date of your Contract for Services with the Trust.

If you'd like to know how long we keep a specific piece of personal data, please contact the Trust's Data Protection Officer (DPO) whose details can be found at the end of this Privacy Notice.

7. Your rights

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, please contact Jacqui Waine, COO, on jacqui.waine@newhamcommunitylearning.org. 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; and
- 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 or complaint about the way we are collecting or using your personal data, you should raise your concern with the Trust's Data Protection Officer (details already provided) in the first instance or directly to 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 DfE, please see the 'How Government uses your data' section of this notice.

If at any time you are not happy with how we are processing your personal information then you may raise the issue with the Data Protection Officer and if you are not happy with the outcome you may raise a complaint with the Information Commissioner's Office:

Information Commissioner's Office
Wycliffe House
Water Lane



Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.



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