

Whitchurch Pre-School

Committee Member Confidentiality and Data Protection

Responsibilities

Eligibility as a committee member

In order to be a member of the committee you must provide proof of a clear Criminal Records Bureau Check (CRB). This should be provided as soon as possible without undue delay.

- All forms will be given out at the end of the AGM (or to a new member recruited at a SGM)
- To be returned to the secretary/chair within two weeks with proof of identification
- Secretary/chair will send off to appropriate agency
- When committee members receive a unique reference number this is passed to the secretary to be recorded (only unique reference number and date received and type of enhancement needs to be kept by committee)
- If CRB form is not completed for submission with ID checked within 28 Days the committee member will be asked to leave the committee, as it is a legal responsibility that all committee members hold an enhanced CRB check.

Non eligibility for committee members

- Not attending meetings – Is absent without permission of the management committee from all their meetings held within a period of 6 months and the management committee resolve that their office be vacated
- Misconduct - Engages in misconduct which results in bringing the organisation into disrepute
In addition, you cannot be a member of the committee if you fall into one of the following categories (following Charity Commission guidelines):
- You have been convicted at any time of any of any offence involving deception or dishonesty unless the conviction is legally regarded as spent.
- You are an undercharged bankrupt, or have made a composition with creditors and have not been discharged, or have failed to make payments under a County Court Administration Order.
- You have at any time been removed by the Commissioners or by the court of England, Wales or Scotland from being a trustee because of misconduct.
- You are disqualified from being a company director. Confidential information committee members may be party to:

During time in office as a trustee or committee member, you may be party to confidential information concerning the children, families, staff, setting users, and the settings financial position. Any information which is received as a result of their position as a committee member must remain confidential to them.

Confidential issues must not be discussed with parents, or any other individual not connected with the setting, unless agreed by the committee.

This includes during and after their term of office, the trustee or committee member must not disclose or allow the disclosure of any confidential information (except in the proper course of their membership of the committee).

Data Protection

Trustees and committee members must ensure that you do not breach the Data Protection Act 1998, which provides strict rules in this area.

In essence, data protection means that organisations that process personal data, must comply with certain data protection principles and the rights of the person about whom data is processed (e.g. children, staff and volunteers). There are eight principles put in place by the Data Protection Act 1998(DPA) which specify that data must be:

- fairly and lawfully processed;
- processed for limited purposes;
- adequate, relevant and not excessive;
- accurate;
- not kept for longer than is necessary;
- processed in line with your rights;
- secure; and
- not transferred to countries outside the EU without adequate protection.

Note - It is against the law if any organisation does not keep to these principles.

What DPA applies to:

The DPA applies to personal data in computerised, manual or any other format, as long as the data is in a system that allows the information to be readily accessible. This means that most files relating to children, staff and volunteers will be covered by the DPA.

Committee Access to Records and Responsibilities

Within Whitchurch Pre-School, trustees and committee members will have designated roles which will allow them access to confidential records.

Within the trustees/committee members specific responsibilities will be: -

- Staffing - allowing access to staff files, including sick, holiday and pay records.

