



# BARNFIELDS EXTRA

## BEFORE AND AFTER SCHOOL CLUB

### Board Member Confidentiality and Data Protection Responsibilities

#### Eligibility as a Board Member

In order to be a member of the Board you must provide proof of a clear Disclosure and Barring Service (DBS).

- All forms are given to a potential new Board member at the time of application.
- Forms to be returned to the Company Secretary within two weeks with proof of identification.
- The Company Secretary will send off to appropriate agency.
- When the Board Member receives their unique reference number this is passed to the Company Secretary to be recorded on the Company's DBS register.
- It is a legal responsibility that all Board members complete a DBS form.

#### The following will not be eligible to be Board Members

- People under the age of 18.
- A person who is an undischarged bankrupt, or has made an agreement with creditors and has not been discharged, or has failed to make payments under a County Court Administration Order.
- A person who has at any time been removed by the Commissioners or by the Court of England, Wales or Scotland from being a trustee because of misconduct.
- A person who has been disqualified from being a Company Director.

Note above information taken from Charity Commission 'Criteria to be a charitable trustee'

#### Confidential information to which Board Members may be party:

- Board Members may be party to safeguarding, finances, information relating to individual children and families. Any information which is received as a result of their position as a Board 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 Board.

- The Board Member must not disclose or allow the disclosure of any confidential information (except in the proper course of their membership of the Board).

### **Committee Access to Records and Responsibilities**

Within the Board Members specific responsibilities will be:

- Staffing – allowing access to staff files, including sick, holiday and pay records.
- Financial – allowing access to all the setting’s financial records, including fees which will include monitoring the debts within the setting.
- Child/ren’s records – allowing access to individual child records which may hold confidential information relating to family, safeguarding, etc.

### **Data Protection**

Board Members must ensure that they 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 in 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 individual 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.

### **To What Data Protection Applies**

Data protection 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 data protection.

### **Removal of Board Members**

- Is absent without permission of the Board from all their meetings within a period of twelve months.
- Engages in misconduct which results in bringing the organisation into disrepute.

### **Affirmation**

By signing below you are confirming that you:

Are eligible to be a member of the Board

1. DBS check has been completed. Date completed \_\_\_\_\_

Date sent \_\_\_\_\_ Date received \_\_\_\_\_

Unique Reference Number \_\_\_\_\_

2. That you understand your responsibilities under the above policy.

Board Member's signature \_\_\_\_\_

Board Member's Name \_\_\_\_\_

Date \_\_\_\_\_