



Members, Trustees, Governors and Other Volunteers Privacy Notice

To be reviewed on an annual basis by the Trust Board

History of Document

Issue No	Author	Date Reviewed	Approved by Trust Board	Comments
1	DPO	1/5/18	-	1 st issue
2	DPO	12/7/18	-	CCTV
3	DPO	20/8/20	-	Covid-19 track and trace
4	DPO	23/11/20	17/12/20	Overview, withdrawal of consent, international transfers, complaints
5	DPO	June 2022	14/7/22	Many changes
6	DPO	6 March 2023		New DPO and Data Controller change of address

Overview

Under data protection law, individuals have a right to be informed about how the Active Learning Trust (“Trust”) uses personal data that it holds about them. The Trust complies with this right by providing ‘privacy notices’ (sometimes called ‘fair processing notices’) to individuals where it processes their personal data.

The Trust collects and processes personal data in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. The Trust is committed to protecting the privacy of the individuals whose data it processes and to undertake all data processing in a lawful, open and transparent way.

The Trust is a multi-academy trust with 21 academies. The Trust is a charitable company limited by guarantee (registration number 07903002) whose registered office is Cromwell Community College, Wenny Road, Chatteris, Cambridgeshire, PE16 6UU.

The Trust is the “Data Controller” for the purposes of data protection law. This means that it is responsible for deciding how it holds and uses personal data.

The Trust’s Data Protection Officer is The ICT Service – email: dpo@theictservice.org.uk. As Data Protection Officer, they are responsible for informing and advising the Trust about its data protection obligations and monitoring its compliance with these obligations. They also act as an individual’s first point of contact if they have any questions or concerns about data protection.

The Trust may need to update this privacy notice periodically if it changes how it collects and processes personal data. The Trust will inform Members, Trustees and Governors when this privacy notice has changed; however, it also recommends that Members, Trustees and Governors visit this privacy notice periodically.

What is Personal Data?

Personal data means any information relating to a living individual who can be identified (directly or indirectly) in particular by reference to an identifier (e.g. name, NI number, employee number, email address, physical features). It can be factual (e.g. contact details or date of birth), an opinion about an individual’s actions or behaviour, or information that may otherwise impact that individual in a personal or business capacity.

Data protection law divides personal data into two categories: ordinary personal data and special category data. Any personal data that reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health conditions, sexual life or sexual orientation, biometric or genetic data that is used to identify an individual is known as special category data. (The rest is ordinary personal data).

Categories of Personal Data that the Trust processes

Personal data that the Trust may collect, use, store and share (where appropriate) about Members, Trustees, Governors and other Volunteers includes, but is not restricted to:

- Contact details – current and previous – title, name(s), address(es), email address, telephone contact numbers
- Governance positions – current – type of role appointed to, appointing body, date of appointment and any positions on the Trust Board, School Local Governing Body and term of office
- Governance positions – previous - type of role appointed to, any positions on the Trust Board and School Local Governing Body, terms of office served and reasons for resignations/suspensions
- Information provided by individuals as part of an application form to facilitate the appointment procedure including any references that may be taken
- Documents to support an Enhanced Disclosure and Barring Service application, such as copies of Passports, Bank statements, Birth and Marriage Certificates
- Training records – of attendance at organised/ commissioned training events for the Trust
- Attendance and visits to schools
- Qualifications – details, skills, and experience for skills audit purposes
- Employment details
- Bank account details and national insurance number in case of any reimbursement of expenses
- Criminal record information
- Signed Code of Conduct, Declaration of Eligibility Information about Business, Pecuniary and Charitable interests
- Photographs for internal safeguarding and security purposes, Trust and school newsletters, media, Trust and school websites and Trust and school social media
- Data about an individual's use of or access to the Trust's information and communication systems.
- The use of CCTV images captured in a school's premises

The Trust may also hold personal data about individuals from third parties, such as information supplied by the appointing body and from the Disclosure & Barring Service, in order to comply with the Trust's legal obligations and statutory guidance.

The Trust may also collect, use, store and use information that falls into special categories of more sensitive personal data. This may include:

- Characteristics information (such as race, ethnicity, religious beliefs, sexual orientation, health, religion or belief and political opinions).
- Disability and access requirements

How the Trust collects Personal Data

The Trust collects personal information via the following methods:

- Trustee and Governor application forms
- Parent and staff governor election process
- Trustee and governor information record, provided by the individual to the Trust
- DBS forms and appropriate safeguarding checks
- Record of Business Interest form

The information collected about Members/Trustees/Governors is provided by either the Trust or school involved, the Head of Corporate Services, Clerks to Governors or individual Members/Trustees/Governors or prospective Members/Trustees/Governors.

Whilst the majority of information provided to the Trust is mandatory some of it is provided to the Trust on a voluntary basis. In order to comply with UKGDPR the Trust will inform an individual whether they are required to provide certain information to the Trust or if an individual has a choice in this.

Where consent has been provided to use an individual's personal data, such consent can be withdrawn at any time. The Trust will make this clear when it asks for consent and explain how consent can be withdrawn.

Why the Trust collects Personal Data

The purpose of collecting and processing personal data is to:

- Establish and maintain effective governance
- Meet statutory obligations for publishing and sharing Members, Governors' and Trustees' details
- Comply with the statutory regulations for recording governance with the Academies Trust Handbook, Funding Agreement and Articles of Association and Get Information about Schools on the Department for Education's (DfE) website
- Enable the Trust to comply with its statutory safeguarding obligations and facilitate safe recruitment
- Undertake equalities monitoring
- Support effective Governor development
- Support effective management of a school
- Fulfil statutory reporting to the DfE
- Complete equalities monitoring and reporting
- Respond to any governance issues
- Improve the management of workforce data across the sector
- Assess the quality of the Trust's services
- Comply with the law about data sharing
- Ensure that appropriate access arrangements can be provided for people who require them

Lawful Basis for collecting and processing Personal Data

- The processing is necessary for the performance of a legal obligation to which the Trust is subject, for example its legal duty to safeguard pupils
- Carry out a task in the public interest
- Consent to use personal data in a certain way.
- To protect an individual's vital interests. This is applicable where a person's life could be at risk and the Trust needs to share or make available information to help them. This could involve sharing serious allergy information with people, paramedics (or other medical professionals), or other information requested by the police or social services, to assist them in their enquiries to protect that person.

In addition, the Trust may process special category personal data in the following circumstances:

- The individual has given explicit consent
- It is necessary to fulfil the obligations of the Controller
- Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions)
- It is in the public interest.

Some of the reasons listed above for collecting and using personal data information overlap, and there may be several grounds which justify the Trust's use of the personal data.

How the Trust protects Personal Data

The Trust takes its security responsibilities seriously to protect personal data from accidental or unlawful access, disclosure, loss, damage or destruction. For example:

- Access to personal data is on a strict need to know basis
- Electronic records are held on encrypted servers
- Strict visitor management security procedures in place
- Sensitive paper files are locked away with restricted access to the keys
- Employees, volunteers and governors are subject to Disclosure and Barring Service (DBS) checks and employee contracts contain confidentiality clauses
- The Trust has policies, procedures and provides training covering data protection, security, record disposal and confidentiality
- The Trust uses encrypted email or secure file sharing platforms to share personal data with external organisations
- Due diligence checks are undertaken on service providers and Data Protection Impact Assessments completed, where required.

- Up to date virus and malware protection software is used and security patches are applied promptly and data is backed up regularly.

Data Sharing

The Trust will not share information about with third parties without consent unless the law allows the Trust to.

Where it is legally required or necessary, the Trust may share some of the personal data which it collects with:

- Government departments or agencies – to meet the Trust’s legal obligations to share personal data about Members, Trustees and Governors
- DfE - Get Information About Schools (GIAS), Companies House and/or Education and Skills Funding Agency (ESFA)
- Ofsted
- Local authorities – to meet the Trust’s legal obligations to share certain information with it, such as details of Governors
- Suppliers and service providers – to enable them to provide the service that the Trust has contracted them for e.g. Governor/Trustee support
- Internal and External Auditors - Members, Trustees and Governors complete an annual Business Interest form, in order to comply with statutory requirements and the requirements of the Academy Trust Handbook. The Trust’s Auditors may request to see these forms. Some of the personal data may be passed to the Auditors to enable them to carry out their work in overseeing governance reviews of the Trust. This data will be similar to that which is published by the DfE on GIAS. The detailed Business Interest forms are not published on school websites, but a summary of business interests and relationship declarations must be published on the schools’ websites.
- Professional advisers and consultants
- Employment and recruitment agencies as necessary in the performance of contracts with them
- Police forces, Courts, Tribunals in order to uphold law and order

How long the Trust keeps Personal Data

The Trust only keeps personal data for as long as necessary to fulfil the purposes it collects it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

Data Protection Rights

An individual has the following rights under the data protection laws:

- To be told how their personal data is being processed (this Privacy Notice).
- To request access to their personal information. This is known as making a 'Subject Access Request' (SAR). If an individual makes a subject access request, and if the Trust holds information about an individual, it will:
 - Provide a description of it
 - Advise why it holds and processes it, and how long it will keep it for
 - Explain where it got the personal data from
 - Advise who it has been, or will be, shared with
 - Confirm if any automated decision-making is being applied to the data, and any consequences of this
 - Provide a copy of the information in an intelligible form within a month, unless an extension is necessary on the ground of the complexity of the request
- To have 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 the Trust's processing of their personal data (i.e. permitting its storage but no further processing).
- To object to processing being used for public interest or direct marketing purposes. (including profiling) and processing for the purposes of scientific/historical research and statistics
- To withdraw consent to processing, although the Trust may still continue to process personal data if a lawful basis other than consent applies.
- To have personal information, which an individual has provided, transmitted electronically to another organisation in certain circumstances.
- Not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect - unless an individual has agreed or in other limited circumstances
- Complain if they are not happy with the way their personal data has been handled, and to escalate this to the Information Commissioner if they remain dissatisfied.

Complaints/Concerns

The Trust takes any complaints about its collection and use of personal information very seriously. If an individual thinks that the Trust's collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about the Trust's data processing, they should raise this with the Trust's Data Protection Officer in the first instance - dpo@theictservice.org.uk

Alternatively, an individual can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113 (local rate)
- Call 01625 545 745 (national rate)
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact

If you would like to discuss anything in this privacy notice, please contact the Trust's Data Protection Officer - dpo@theictservice.org.uk