Heritage MAT

Privacy Notice for School and Trust Governance Roles and Volunteers

Under UK data protection law, individuals have a right to be informed about how the academy trust uses any personal data. The academy trust complies with these requirements by providing privacy notices to inform individuals about how their personal data will be processed.

This privacy notice explains how the academy trust collects, stores, uses and deletes personal data about individuals working within our academy trust in a voluntary capacity, including governors and trustees.

1 What this Privacy Notice is for

Heritage MAT collect, hold, use and share information about our volunteers. This is known as "personal data" and you have rights around that data, including knowing how and why we are processing the data. "Processing" data means collecting, storing, using or disposing of it.

For the purposes of Data Protection legislation Heritage MAT is a data controller and is registered as such with the Information Commissioner's Office (Z3061884). This means the academy trust determines the purposes for which, and the way any personal data relating to the academy trust's governors is to be processed.

In some cases, personal data processing will be outsourced to a third-party; however, this will only be done with your consent, unless the law or our policies allow the academy trust to share your data. Where the academy trust outsources data to a third-party processor, the same data protection standards that the academy trust upholds are imposed on the processor.

2 The types of volunteers' information that we process

The types of volunteers' information that the academy trust collects, holds and shares include but are not restricted to the following:

- Personal identifiers, contacts and characteristics (such as name, date of birth, contact details and postcode).
- Governance details (such as role, start and end dates).
- References.
- Evidence of qualifications.
- Employment details.
- Information about business and pecuniary interests.
- Your use of academy trust devices and academy trust networks as part of our safeguarding procedures.

2.1 Special category data (sensitive information)

Some of the information that we collect is more sensitive or can be classified as special category data, this may include:

- Characteristics information (such as gender and ethnic group).
- Photographic records and CCTV footage.
- Biometric data (such as fingerprints or face image for catering services)
- Information about medical or health conditions, that we need to know about, including whether you have a disability for which the academy trust needs to make reasonable adjustments.

We may also collect, use and store information about criminal convictions, offences and prohibitions. This information may have come from other organisations including former employers, Teacher Regulation Agency, social services and the Disclosure & Barring Service.

3 Why does the academy trust collect and use your information?

The personal data collected is essential, in order for the academy trust to fulfil their official functions and meet legal requirements. We use governor data to:

- Meet the statutory duties placed upon us.

- Facilitate safer recruitment as part of our safeguarding obligations towards pupils (e.g. By carrying out criminal records checks).
- Undertake equalities monitoring.
- To help us to deliver our responsibilities to our school community.
- Establish and maintain effective governance.
- To inform the academy trust community of the identity of the individuals who comprise the trust and school boards.
- Photographic images for identification purposes (safeguarding and identifying governors to our parents and pupils), and celebration purposes (to record academy trust events).
- Ensure that appropriate access arrangements can be provided for volunteers who require them.
- For site safety and security.

3.1 The lawful basis for collection and use of personal data

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing governors' information are most commonly to:

- Comply with a legal obligation.
- Carry out a task in the public interest.

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way.
- We need to protect your vital interests (or someone else's interests).
- There is a legitimate interest in sharing the information.
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Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you would go about withdrawing consent if you wish to do so.

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

3.2 Special category personal data

The ways we collect and use special category volunteer information are lawful based on one of the following conditions:

- We have obtained your explicit consent to use your personal data in a certain way.
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law.
- We need to protect an individual's vital interests (i.e. Protect your life or someone else's life), in situations where you are physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by you.
- We need to process it for the establishment, exercise or defence of legal claims.
- We need to process it for reasons of substantial public interest as defined in legislation.
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law.
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law.
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest.

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way.
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you are physically or legally incapable of giving consent.

- The data concerned has already been made manifestly public by you.
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights.
- We need to process it for reasons of substantial public interest as defined in legislation.

3.3 Marketing purposes

Where you give us consent, we may send you marketing information by message or email, such as for promoting academy trust events, campaigns or charities. Consent can be withdrawn at any time by contacting us.

3.4 Automated decision making & profiling

We do not use any of your personal information to make automated decisions about you, or to profile you If this changes in the future, privacy notices will be updated to explain both the processing and your right to object to it.

4 How we collect governors' information

We collect personal information in a variety of ways. For example, data is collected through application forms, obtained from your passport or other identity documents such as your driving licence, from forms completed by you at the start of or during your term as a Governor, from correspondence with you, or through interviews, meetings or other assessments, images provided by you or taken using academy trust photographic equipment, local authorities, the NHS, the Police, the Disclosure and Barring Service and the Department for Education.

Governors' data is essential for the academy trust's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it may be requested on a voluntary basis. 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.

5 How, where and for how long we store governors' information

We store governors' information securely on the academy trust's IT network and cloud. Secure storage is provided for paper-based records.

We only keep the information for the length of time we need it for, as shown in our records management policy

We dispose of personal information securely when we no longer need it.

6 Sharing governors' information

We share information about our governors when the law and our policies allow us to do so. We routinely share governors' information with:

- Government departments or agencies - to meet our legal obligations to share information about members/trustees/governors. This includes the DfE - We are required to share information about individuals in governance roles with the Department for Education (DfE) under the requirements set out in the Academy Trust Handbook.
- Our local authority- to meet any legal or statutory requirements
- Suppliers and service providers - to enable them to provide the service we have contracted them for, such as governor/trustee support
- Professional advisers and consultants - to comply with entitlements and assist with claims
- Employment and recruitment agencies - as necessary in the performance of contracts with them
- Police forces, courts - in order to uphold law and order

6.1 International Transfers

Your personal information may be transferred outside the UK and the European Economic Area ('EEA'), including to the United States. Where information is transferred outside the UK or EEA to a country that is not designated as "adequate" in relation to data protection law, the information is adequately protected using International Data Transfer Agreements and security measures, and other appropriate safeguards.

6.2 Freedom of Information Act and Environmental Information Regulations 2004

As a public body, our academy trust is subject to requests made under the above legislation. However, we will never disclose personal data in our responses to these requests where to do so would contravene the principles of data protection.

6.3 Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities. We are required to share information about individuals in governance roles with the DfE, under the requirements set out in the Academy Trust Handbook.

All data is entered manually on the Get Information About Schools (GIAS) system and held by DfE under a combination of software and hardware controls which meet the current government security policy framework.

To find out more about the data collection requirements placed on us by the Government and the Department for Education including the data that we share with them, go to

https://www.gov.uk/government/news/national-database-of-governor

The governance data that we lawfully share with the DfE via GIAS

https://get-information-schools.service.gov.uk/

- Will increase the transparency of governance arrangements.
- Will enable maintained schools and academy trusts and the department to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context.
- Allows the department to be able to uniquely identify an individual and in a small number of cases conduct checks to confirm their suitability for this important and influential role.

Note: Some of these personal data items are not publicly available and are encrypted within the GIAS system. Access is restricted to a small number of DfE staff who need to see it to fulfil their official duties. The information is for internal purposes only and not shared beyond the department, unless law allows it.

7 Requesting access to personal data and other 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, contact our Data Protection Officer via the academy trust office.

You also have the right to:

- Be informed about the collection and use of your personal data.
- Have inaccurate personal data changed if it is inaccurate or completed if it is incomplete.
- Ask us to delete your personal information, often known as the ‘right to be forgotten’; however, this does not apply where, amongst other things, processing is necessary to comply with a legal obligation.
- Restrict the way we are using your information, although, as above this is a limited right.
- Object to the way we are using your information; though other than for marketing purposes, this is also limited as above.
- Where we rely on your consent to collect and use your data, you have the right to withdraw that consent. If you do change your mind, or you are unhappy with our use of your personal data, please let us know.
- You also have rights in relation to automated decision making and profiling, though these are not currently relevant as we do not carry out automated decision making or profiling.
- Finally, the right to complain about the way we use your personal information to the ICO, or to seek redress through the courts.

If you would like to request access to your data, or use any of the other rights listed above, please contact our Data Protection Officer via the academy trust office.

8 Complaints

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us.

Any complaints received should receive a formal acknowledgement within 30 days and a response without undue delay. If you are not happy with our response, then you can raise a complaint with the Information Commissioner using one of the methods below:

- Report a concern online at https://ico.org.uk/make-a-complaint/
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

9 Contact us

Our Data Protection Officer is Data Tools for Schools Limited and they may be contacted via the academy trust office on the shared email dpo@heritagemat.uk or call 01484 489975

Our Data Protection Lead, Virginia Wood, has day to day responsibility for data protection issues within the trust. and they may be contacted via the academy trust office on the same shared email dpo@heritagemat.uk or call 01484 657541.

If you have any questions or concerns or would like more information about anything mentioned in this privacy notice, please contact the Data Protection Lead or our Data Protection Officer.

To contact the DfE:

- Call 0370 0002288
- Visit https://www.gov.uk/contact-dfe