

In partnership to
Educate, Nurture & Empower



Abbey Multi Academy Trust

POLICIES & PROCEDURES

Privacy Notice for Governance Roles

Date Policy Approved: 15 December 2021

Approving Body: Abbey MAT Trust Board

Next Review Date: 31 December 2024

Previous Review Date: February 2018

Privacy Notice for Governance Roles

This privacy notice applies to all schools within our Trust and explains how we collect, store and use personal data about those undertaking governance roles in our Trust and schools. We, Abbey Multi Academy Trust, are the 'data controller' for the purposes of data protection law. The Trust is registered as a data controller with the Information Commissioner's Office (ICO) under registration number Z2928867.

This privacy notice should be read alongside our main privacy notice on our website for full details about how we process personal data.

Personal information we collect about individuals undertaking governance roles within our Trust

We collect the following information about you:

Description	Examples
Personal identifiers	Name, date of birth, contact details.
Characteristics	Gender, age and ethnic group.
Governance details	Role, start and end dates, Disclosure and Barring Service (DBS) certificate number and result, personal statement when applying for the role, training or qualifications, attendance, complaints.
Health information	Disability, dietary and other relevant health information such as COVID19.
Material interests	Relationships between governors/trustees or relationships between governors/trustees and Trust staff (including spouses, partners and close relatives).
Images	CCTV, photographs, video recordings, visitor management system.
Consent	Consent preferences.

Why we collect and use information about individuals undertaking governance roles within our Trust

The personal data collected is essential, in order for the Trust and our schools to fulfil their official functions and meet legal requirements.

We collect and use governance information, for the following purposes:

- To meet the statutory duties placed upon us

- To build a comprehensive picture of our Trust governance and how it is deployed.
- To inform relevant authorities, organisations and other relevant persons of our appointments.
- To deal with complaints and grievances.
- To assist in crime prevention, detection and public safety
- To comply with the law regarding data collection or sharing (e.g. COVID19 data).
- To comply with our legal obligations and standards in relation to governance roles
- To enable individuals to be kept informed of the governance training available to them, book them on the training and keep them informed about other relevant information regarding their appointment and duties.

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing governance information are:

- It is necessary for us to perform a task which is in the public interest or to exercise our official duties as a Trust
- It is necessary for compliance with a legal obligation
- The data subject has given their consent
- The processing is necessary to protect the vital interests of the data subject or someone else
- The processing is necessary for our legitimate interests or the legitimate interests of a third party

In addition, concerning any special category data:

- The data subject has given explicit consent
- The processing is necessary for performing any right or obligation which is imposed on the Trust in relation to employment, social security and social protection law (e.g. safeguarding individuals at risk; protection against unlawful acts; prevention against fraud)
- It is necessary to protect the vital interests of any person where the data subject is physically or legally incapable of giving consent
- The processing is necessary for the establishment, exercise or defence of legal claims
- The processing is necessary in the substantial public interest
- The processing is necessary for the assessment of the working capacity of the employee

Note: Special category data is personal data which reveals a person's racial or ethnic origin, political opinion, religious or philosophical beliefs, trade union membership, genetic data, biometric data (such as fingerprints), health, sex life or sexual orientation.

Collecting governance information

We collect governance information by the following means:

- Application form, personal statement, and other information provided to us in order to assess your suitability for a role.
- Annual declaration of interest/GIAS update form.
- Directly from you during your term of office with us, for example, via correspondence, forms, skills audits, etc.
- Indirectly from other individuals, providers, agencies and organisations during your term of office with us, for example, referees, training providers, etc.

Governance information is essential for the schools' operational use. Whilst the majority of personal information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, 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.

Who we share information with

We routinely share information with a range of organisations, companies and agencies, where it is necessary for us to carry out our legal responsibilities and duties as a Trust.

We only share information about you where it is **strictly necessary** for us to do so, and the law and our policies allow us to do this. The following are examples of who we share information with:

Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about individuals in governance roles with the Department for Education (DfE) under the requirements set out in the Academies Financial Handbook, so they may publish this on their Get Information About Schools (GIAS) register.

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

For more information, please see 'How Government uses your data' section at Appendix 1.

Diocese

We may share information (name, role, term of office and email address) on those involved in governance roles with our diocesan board of education (the DBE of the Anglican Diocese of Leeds) to enable them to carry out their function under The Diocesan Board of Education Measure 1991.

Ofsted

We may be required to support an Ofsted inspection, where an inspector asks to see a sample of the Trust's records. These records could identify data subjects, including those involved in governance roles. Any identifiable personal information the inspector may see will not be taken away or used in their reports.

The Public

We are required to publish certain personal information about our Members, Governors, Trustees and Clerks on our website, including name, role, attendance and registered interests. Minutes of governance meetings may also be inspected by members of the public on request.

Companies House

In accordance with Sections 167 & 167D of the Companies Act 2006 anyone on the Trust Board of an Academy must be registered with Companies House as a Director of the Company.

Law enforcement

We may be required to share information about any person we hold information about, to the police or other law enforcement agencies, to assist them in an investigation or to prevent or detect a crime or safeguard individuals at risk.

Multi-Academy Trust

We may sometimes be required to share information about data subjects within our Multi-Academy Trust, so we can monitor and assess the quality and consistency of our services; share resources or to provide particular support to individuals. We will only share identifiable information

where this is strictly necessary to enable us to carry out our official duties.

Service providers We use companies that provide us with a service to help us run effectively as a Trust. The services we often receive are IT support, professional advice, legal advice, online learning or teaching resources, communication services with parents, students, employees or governors, catering and transport. To receive these services, we sometimes need to share personal information or use their products to store Trust data.

The companies/individuals we use may change on a regular basis. If you would like information about any specific companies or individuals we work alongside or receive services from, please contact us at enquiries@abbeytrust.org.

Storing personal data

We hold personal information securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit www.abbeymat.co.uk for our Data Protection, Record Management, and Retention Policies.

Requesting access to your personal data

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:

- the relevant school office; or
- our Trust enquiries email (enquiries@abbeytrust.org); or
- our Data Protection Officer (dpo@abbeytrust.org).

You also have the right to:

- ask us for access to information about you that we hold
- have your personal data rectified, if it is inaccurate or incomplete

- request the deletion or removal of personal data where there is no compelling reason for its continued processing
- restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not 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 us 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.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting:

- the relevant school office; or
- our Trust enquiries email (enquiries@abbeytrust.org); or
- our Data Protection Officer (dpo@abbeytrust.org).

Changes to this privacy notice

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time.

This version was last updated on **15th December 2021**.

Contact

If you would like to discuss anything in this privacy notice, please contact: Kerry Weatherill, Abbey MAT Data Protection Officer, dpo@abbeytrust.org.uk.

Appendix 1

How Government uses your data

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

- increase the transparency of governance arrangements
- enable maintained schools, academies, academy trusts and the DfE to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context
- allow 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

Data collection requirements

To find out more about the requirements placed on us by the DfE including the data that we share with them, go to:

<https://www.gov.uk/government/news/national-database-of-governors>

Some of these personal data items are not publicly available and are encrypted within the GIAS system. Access is restricted to authorised DfE and education establishment users with a DfE Sign-in account who need to see it in order to fulfil their official duties. The information is for internal purposes only and not shared beyond the department, unless the law allows it.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact DfE: <https://www.gov.uk/contact-dfe>.