



Privacy Notice for governance roles and volunteers September 2023

1. Introduction

Under UK data protection law, individuals have a right to be informed about how an academy/the trust uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **individuals working with our academies/trust in a voluntary capacity.**

The trust, **University of Brighton Academies Trust, The Burgess Hill Academy, Station Road, Burgess Hill, West Sussex, RH15 9EA tel: 01273 082005**, is the 'data controller' for the purposes of UK data protection law.

Our data protection officer is **Kathryn Smith**, Director of Governance and Admissions.

2. The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Personal identifiers, contacts and characteristics (such as name, date of birth, contact details and postcode)
- Governance details (such as role, start and end dates, and governor ID from Get Information About Schools)
- References
- Evidence of qualifications
- Employment details
- Information about business and pecuniary interests

We may also collect, use, store and share (when appropriate) information about you that falls into 'special categories' of more sensitive personal data. This includes, but is not restricted to:

- Information about any health conditions you have that we need to be aware of
- Information about disability and access requirements
- Photographs and CCTV images captured on Trust premises
- Race and ethnicity

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

We may also hold data about you that we have received from other organisations, including other

schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

3. Why we collect this data

The personal data collected is essential in order for the Trust 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
- Establish and maintain effective governance
- Facilitate safe recruitment as part of our safeguarding obligations towards students
- Undertake equalities monitoring
- Ensure that appropriate access arrangements can be provided for volunteers who require them
- Ensure receipt of information from the LA to facilitate the role of trustee/governor

4. Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

5. Use of your personal data in automated decision-making and profiling

We do not currently process any governors'/trustees' or other volunteers' personal data through automated decision-making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

6. Our lawful basis for using this data

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need 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 to share the information

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.

7. Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- 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

8. Collecting this data

We collect personal information via data collection forms.

Governance roles data is essential for the 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. In order to comply with UK GDPR, 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.

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 go about

withdrawing consent if you wish to do so.

9. How we store this data

We keep personal information about you while you volunteer with our Trust. We may also keep it beyond your work in our Trust if this is necessary. Our Trust [retention policy and schedule](#) sets out how long we keep information about governors/trustees and other volunteers, which is available online from the trust website (see 'Contact us' below).

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

10. Who we share data with

We do not share information about you with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law), we may share personal information about you 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](#)
- Companies House – Trustees only
- Ofsted and Education and Funding Skills Agency – our regulators
- 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 and online training
- 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
- Our auditors – to demonstrate compliance with statutory requirements

11. Transferring data internationally

Where we transfer your personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

12. Your rights

How to access personal information we hold about you

Individuals have a right to make a 'subject access request' to gain access to personal information that an academy/the trust holds about them.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please complete the Subject Access Request section on the Trust's [website](#) or contact us (see 'Contact us' below).

13. Your other rights regarding your data

Under data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to, and challenge the use of, your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact us (see 'Contact us' below).

14. 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 in the first instance.

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

- 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

15. Contact us

Our data protection officer is **Kathryn Smith**, Director of Governance and Admissions

However, our trust has a data protection manager who has day-to-day responsibility for data protection issues in the Trust.

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact them: **Naana Ofori, Data Protection Manager**, privacy@brightonacademiestrust.org.uk

How government uses your data

The governance data that we lawfully share with the Department for Education (DfE) via GIAS will:

- Increase the transparency of governance arrangements
- Enable local authority maintained schools, academies, academy trusts and the Department for Education (DfE) to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context
- Allow the Department for Education (DfE) 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 Department for Education (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 Department for Education (DfE) and education establishment users with a Department for Education (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 for Education (DfE) unless the law allows it.

How to find out what personal information the Department for Education (DfE) hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

- If they are processing your personal data
- For a description of the data they hold about you
- The reasons they are 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 for Education (DfE), you should make a subject access request (SAR). Further information on how to do this can be found within the Department for Education's (DfE) 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>.