



# GOVERNORS, TRUSTEES AND MEMBERS PRIVACY NOTICE

## PRIVACY NOTICE FOR ALL GOVERNORS, TRUSTEES AND MEMBERS

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## 1. Overview

Under the existing *Data Protection Act Law (2018)* and *The UK General Data Protection Regulation 'GDPR'* it is a requirement for all individuals to be correctly informed about what an organisation does with your personal data. SHARE MAT informs you how it uses your personal data via a 'Privacy Notice' (also referred to as a 'Fair Processing Notice').

Within this privacy notice the MAT outlines how it; collects, stores, manages, edits, erases and controls an individual's personal data. This relates to anyone that volunteers within the MAT as a Governor, Trustee or Member.

The trust employs a Data Protection Officer to oversee Data Protection and GDPR. If you wish to contact our DPO please visit the 'contact us' section within this policy.

This privacy notice applies to all forms of personal data, including but not limited to, paper and electronic formats.

## 2. Legislation and guidance

The Data Protection Act 2018 is the UK's implementation of the Data Protection Regulation (GDPR). Everyone responsible for using personal data has to follow strict rules called 'data protection principles' and must make sure the information is: used fairly, lawfully and transparently.

This privacy notice adheres to the guidelines set out by the *Information Commissioners Office (ICO)*, *The General Data Protection Regulation (GDPR)* and *Data Protection Act (2018)* legislations. It also follows the guidance of the *Protection of Freedoms Act (2000)* to ensure the protection of biometric data. In addition, it complies with the trust's funding agreements and articles of association.

## 3. Definitions and key terminology

Term	Definition
<b>Personal data</b>	<p>Any information relating to an identified, or identifiable, individual. Personal data is only associated with a living data subject.</p> <p>This may include the individual's:</p> <ul style="list-style-type: none"><li>• Name (including initials)</li><li>• Identification number</li><li>• Location data</li><li>• Financial data</li><li>• Online identifier, such as a username</li></ul>



	It may also include factors specific to the individual's physical, physiological, genetic, mental, economic, cultural or social identity.
<b>Special categories of personal data</b>	<p>Personal data which is more sensitive and so needs further protection, includes information about an individual's:</p> <ul style="list-style-type: none"><li>• Racial or ethnic origin</li><li>• Political opinions</li><li>• Religious or philosophical beliefs</li><li>• Trade union membership</li><li>• Genetics</li><li>• Biometrics (such as fingerprints, retina and iris patterns), where used for identification purposes</li><li>• Health – physical or mental</li><li>• Sex life or sexual orientation</li></ul>
<b>Processing</b> (Automated or manual)	<p>Anything done to personal data, such as;</p> <ul style="list-style-type: none"><li>• Collecting</li><li>• Recording</li><li>• Organising</li><li>• Structuring</li><li>• Sharing</li><li>• Storing</li><li>• Adapting</li><li>• Altering</li><li>• Retrieving</li><li>• Using</li><li>• Disseminating</li><li>• Erasing</li><li>• Destroying</li></ul>
<b>Data subject</b>	The identified or identifiable individual whose personal data is held or processed. A data subject is any natural, living person.



<b>Data Controller</b>	A person and/or organisation that determines the purposes and the means of processing personal data.
<b>Data Processor</b>	A person, organisation or other body (other than an employee of the data controller) who processes personal data on behalf of the data controller.
<b>DPO</b>	A Data Protection Officer (DPO) should be appointed when any large-scale processing of data occurs, and/or, processing of data may be deemed a risk.
<b>Personal Data Breach or Data Breach</b>	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.
<b>The ICO</b>	The Information Commissioners Office (ICO) is the authority which regulates data protection in the UK.
<b>DPIA</b>	A Data Protection Impact Assessment (DPIA) is a process that we carry out in order to assess if we are compliant with relevant legislation.
<b>SAR or DSAR</b>	A Data Subject Access Request (SAR) is when a data subject formally lodges a request to view/access the personal data that is held on them.

#### 4. Personal data held by the MAT

SHARE MAT collects personal data on those it engages with, in carrying out the business of the schools within the MAT. Only relevant and necessary personal data is collected in order to complete business processes. This is done by carrying out a DPIA on all data that is collected to identify the lawful basis of processing.

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

- Contact details
- Date of birth, marital status and gender
- Evidence of qualifications
- Employment details

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- Information about business and pecuniary interests

As well as the information listed above, it may also collect, store and use information about you that identifies as 'special categories' of data. This is highly sensitive data. This may include information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political views
- Disability and access requirements

## **5. Why this data is used**

SHARE MAT collects this data in order to perform key business processes throughout the Trust. It holds the necessary basis for collecting and processing this data, as outlined in Article 6 of the GDPR. The data that it collects enables it to:

- Establish and maintain effective governance
- Meet statutory obligations for publishing and sharing trustee/member/ governors' details
- Facilitate safer recruitment, as part of its safeguarding obligations to students
- Undertake equality monitoring
- Ensure that appropriate access arrangements can be provided for those who require them
- Ensure receipt of information from the school to facilitate the role of trustee/member/governor

Where you have given consent, the MAT may use your personal information for communicating key information to you regarding the academies within the trust such as the promotion of an event. You may at any given time choose to remove consent should you wish.

## **6. Lawful basis for using your data**

SHARE MAT follows the guidelines outlined within Article 6, The GDPR, Lawfulness of Processing, when assessing if it believes it has a lawful basis of processing your personal data. It ensures that it meets, at least one, of the minimum requirements outlined within Article 6. It only collects your personal data when it needs to:

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



Less commonly, it may also use personal data regarding you when:

- You have given consent for it to be used in a certain way
- The MAT needs to protect your vital interests
- There is a legitimate interest to share your information (this will only be done with your consent)

Where the MAT relies on consent to process your personal data, you have the right to retract this consent at any given time. When it asks for your consent in order to process your personal data it will make this clear from the outset, along with guidance on how to retract consent if you wish to do so.

SHARE MAT will only use your data for the purpose that it has been collected. If it requires to use your information for an additional/further process, it will contact you to inform you of this.

## **7. Collecting your information**

SHARE MAT predominantly collects personal data from you as an essential requirement. There are occasions where collecting personal data is not mandatory, but that we feel it would be beneficial to the Trust to do so.

In these circumstances we ensure that we have a legitimate interest when requesting this data, however, as a data subject, you have the ability to choose if you wish to provide this information.

SHARE MAT will ensure that it informs you about 'mandatory' and 'non mandatory' data collection, the consequences of not providing mandatory information and the choices you have as a data subject.

## **8. How your data is stored**

SHARE MAT ensures that all data stored about you is secure, safe and in line with legislation.

Personal data is restricted in use to ensure only those who need it have access. The use of the information stored is restricted to the purpose that it is collected for.

Once you leave SHARE MAT we will delete/destroy your personal data in accordance with our Retention Schedule (IRMS Records Management for School).

The following storage rules apply:

- Paper-based records and electronic devices (such as laptops and hard-drives) are kept locked and restricted when not in use
- Personal data is signed for and logged when it is taken off site to ensure safe return or erasure

- The implementation of an enforced password protection policy such that all passwords are random and non-traceable
- Encrypted software is used on all electronic tools
- Data Sharing Agreements are in place where data is shared with a 3<sup>rd</sup> party

## **9. How your data is shared**

SHARE MAT will not share your personal data with any 3<sup>rd</sup> parties unless it informs you or asks for your consent to do so. SHARE MAT may need to share data if required to do so by the law. For more information regarding situations where your data may be shared, please see the ICO's website.

In line with a legal requirement, we may share your personal data with (but not limited to):

- Your family or designated emergency contact
  - Suppliers and service providers
  - Our auditors
  - Survey and research organisations (rarely and you would be informed in advance of such processing)
  - Professional advisors and consultants
  - Department for Education
  - Ofsted
- Examination boards

## **10. How long your data is retained**

SHARE MAT is required, by law, to retain some of your personal data after you leave the organisation. SHARE MAT may choose to keep your data for up to six years after you leave the organisation dependent on what data we hold and the reason for still storing or processing this data.

Any data that SHARE MAT no longer uses, but is still retained, will be stored and archived up until the point where the MAT decides to safely erase it.

For more information on the retention guidelines, retention policy and how long the MAT may hold your personal information for by law please contact our DPO.

## **11. How your data is erased**

SHARE MAT ensures that any data that is no longer of use, or deemed necessary for business processes will be correctly erased in line with data protection guidelines. Personal data will be disposed of securely, safely and effectively to give all data subjects peace of mind.

For example, the MAT will shred or incinerate any paper-based documents that it holds on you, either in-house or contracted by a pre-approved and safe supplier.





The MAT will overwrite, redact or erase any electronic files that it holds on you, either in-house or contracted by a pre-approved and safe supplier.

## **12. Your rights as a data subject**

As part of all data protection legislation data subjects are entitled to request any personal information that is held on them by an organisation. If you wish to find out what information SHARE MAT holds on you, please complete a Subject Access Request.

If you wish to submit a Subject Access Request, please download one of the templates from either the SHARE MAT website, or from the website of the academy that you are associated with. If you are having trouble accessing the template, please contact our DPO.

Once you have submitted a SAR the MAT will:

- Give you a description of the data that we hold (if applicable)
- Explain where we received the information from (if applicable)
- Inform you who has access to it and if it will be shared further
- Inform you if any automated decision-making has been applied, or will be applied, to this data, and the consequences of this
- Give you an accessible copy of this data (where appropriate)

Subject Access Requests may be subject to an administrative charge dependent on the level of time required to prepare the response. You will be informed if your SAR is subject to a charge.

On occasion, the MAT may not be able to provide a hard-copy of your data. It will give you the opportunity to view, in person, the data that it holds on you at a time that suits you.

Under data protection laws data subjects have certain rights regarding how their personal data is used, stored, managed and erased. You have the right to:

- Object to the use of your personal data if it is causing, or has caused, damage or distress
- Prevent your data being used for the purpose of direct marketing
- Object to the use of your personal data for decisions being made by automated means (by a computer or machine, instead of by a person)
- Your data records being up-to-date, accurate and relevant. If you believe they are not, please let us know



- Claim compensation for any damages caused by a breach of your rights under the data protection regulations

If you would like any more information on Subject Access Requests, please contact the DPO.

### 13. How to contact us

SHARE MAT has a designated Data Protection Officer to handle any issues or concerns that you may have regarding your data. If you have any questions or concerns, or would like any advice regarding your data, please contact our DPO.

**Jayne Newson** - Governance Professional and Data Protection Officer

Email- [jayne.newson@sharemat.co.uk](mailto:jayne.newson@sharemat.co.uk) Telephone- 08452 415175

Address - Shelley College, Huddersfield Road, Shelley, HD8 8NL

### 14. Complaints, issues and escalation

SHARE MAT takes any complaints about collection, management and use of personal data very seriously.

If you believe that the way the MAT is processing your personal data is unfair, misleading or inappropriate, or if you have any other concerns regarding your personal data, please contact the DPO immediately.

If you believe that your complaint is not being handled effectively or you would like external advice, please contact the Information Commissioners Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### 15. Signature

SHARE MAT would like to record that all Governors, Trustees and Members have read and agreed to the terms of this Privacy Notice. Please therefore sign and date in the box below once you have read the document in full.

I confirm that I have read and understood SHARE MAT's Privacy Notice relating to Governors, Trustees and Members and I am content for my personal data to be managed accordingly.

**Name:**

**Date:**



**Signature:**

If you have any issues or concerns, please contact the DPO.