



## VISITORS PRIVACY NOTICE

### PRIVACY NOTICE FOR ALL VISITORS (INCLUDING MEMBERS OF THE PUBLIC) TO ANY ACADEMY IN THE MAT

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## 1. Overview

Under the existing *Data Protection Act (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 their personal data. SHARE MAT informs you how your personal data is used via a 'Privacy Notice' (also referred to as a 'Fair Processing Notice').

Within the privacy notice the MAT outlines how it; collects, stores, manages, edits, erases and controls an individual's personal data. This is relevant to anyone who visits any of the sites across the MAT.

SHARE MAT employs a Data Protection Office to oversee Data Protection and GDPR. If you wish to contact the DPO please visit the 'contact us' section within this privacy notice.

The 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. 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>	<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> <p>Processing can be automated or manual.</p>
<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>A 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/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 anyone who visits its sites. It only collects relevant and necessary personal data in order to complete business processes and to ensure the security of its academies. SHARE MAT does this by carrying out a DPIA on all data that it collects 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
- Name
- Information relating to your visit (i.e. your organisation, arrival time and departure, car registration plate)

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- Photograph on arrival
  - CCTV footage (please read out 'CCTV Policy' for more information)
  - Proof of DBS (if required)

As well as the information listed above, the MAT 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):

- 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. The MAT believes 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:

- Identify you and keep you safe whilst you are on site
- Keep pupils within its schools safe
- Maintain accurate records of visits to each of its sites
- Provide appropriate access requirements

## 6. Lawful basis for using your data

SHARE MAT follows the guidelines outlined within Article 6, the GDPR, Lawfulness of Processing, to assess whether 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:

- Carry out a task in the public interest

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

- You have given us consent to use it in a certain way
- The MAT needs to protect yours or an individual's 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 the MAT 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 the trust feels it would be beneficial to do so.

In these circumstances the MAT ensures that it has 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 on '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 that it stores on you is secure, safe and in line with legislation.

All personal data that it collects on you, as a data subject, is stored in a specific file for visitors. This information is restricted in use to ensure only those who need it have the required access. The use of the information stored within this file is restricted to the purpose that it is collected for.

Once your relationship with SHARE MAT has ended, it will retain this file and delete the relevant information in accordance with the 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. It may need to share data if required to do so by the law. For more information regarding situations in which 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):

- The Local authority- to meet any legal or statutory requirements associated with visitor information and safeguarding
- Police and legal forces - in order to uphold law and order
- Central and local government - to meet statutory and legal duties and to enable the performance of contracts
- The trust auditors - to demonstrate that it has taken appropriate measures in providing its educational services
- Health authorities - to assist where there are legal obligations
- Security organisations - with regard to legal or safeguarding investigations, and to assist in crime prevention, detection and prevention of fraud
- Professional bodies - to verify information for legal purposes
- The organisation/company that you are representing - to verify business interest and to verify information for legal purposes
- Professional advisers and consultants - to comply with entitlements and assist with any claims

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

SHARE MAT is required, by law, to retain some of your personal data after your relationship with the organisation ends. It may choose to keep your data for up to six years afterwards, dependent on what data it holds and the reason for still storing or processing this data.

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

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

Once you have submitted a SAR the MAT will:

- Give you a description of the data that it holds (where applicable)
- Explain where it received the information from (where applicable)
- Inform you who has had 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 inform you of 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 require 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 General 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 the Data Protection Officer.

**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 the collection, management and use of personal data very seriously.

If you believe that the way it is processing your personal data is unfair, misleading or inappropriate, or if you have any other concerns regarding your personal data, please contact the DP O 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 Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF