



# VISITORS PRIVACY NOTICE

## PRIVACY NOTICE FOR ALL VISITORS AND MEMBERS OF THE PUBLIC TO ANY OF THE SCHOOLS IN THE MAT

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## 1. Overview

Under the existing *Data Protection Law (1998)* and *The General Data Protection Regulation 'GDPR' (2018)* it is a requirement for all individuals to be correctly informed about what an organisation does with your personal data. SHARE MAT provides all associates with the ability to view how their personal data is used via a 'Privacy Notice' (also referred to as a 'Fair Processing Notice').

Within this privacy notice the MAT aims to outline how it; collects, stores, manages, edits, erases and controls an individual's personal data. This may be associated with anyone that 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 policy.

This policy applies to all forms of personal data, including but not exclusive to, paper and electronic formats.

## 2. Legislation and guidance

It is a requirement for all Schools and Public Authorities to adhere to the GDPR and Data Protection legislation, set out in the *Data Protection Law 1998* and the *GDPR 2018*.

This policy is based on the guidelines set out by the *Information Commissioners Office (ICO)* and *The General Data Protection Regulation (2018)* and *Data Protection (1998)* legislations. This policy also follows the guidance of the *Protection of Freedoms Act (2012)* to ensure the protection of biometric data. In addition, this policy also complies with the Trust's funding agreements and articles of association.

## 3. Definitions and key terminology

All of the definitions listed below are frequently used within this policy and directly associate to the *Data Protection Act (1998)* and the *GDPR (2018)*. If you require further information on any of the terminology used within this policy, please contact the DPO. All details can be found within the 'contact us' section of the policy.

Term	Definition
<b>Personal data</b>	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: <ul style="list-style-type: none"><li>• Name (including initials)</li><li>• Identification number</li><li>• Location data</li></ul>



	<ul style="list-style-type: none"><li>• Financial data</li><li>• Online identifier, such as a username</li></ul> <p>It may also include factors specific to the individual's physical, physiological, genetic, mental, economic, cultural or social identity.</p>
<b>Special categories of personal data</b>	<p>Personal data which is more sensitive and so needs further protection, including 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 'DPO' is an abbreviation of the term, Data Protection Officer. A 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 ICO (Information Commissioners Office) and the legal authority whom manage GDPR and Data Protection.
<b>A DPIA (Data Protection Impact Assessment)</b>	A DPIA is a process that we carry out in order to assess if we are carrying out process in line with relevant legislation.
<b>SAR/ DSAR</b>	A 'SAR' or sometimes referred to as a 'DSAR', is an abbreviation of the word Subject Access Request. This is when a data subject formally lodges a request to view/ access their 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 schools. 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)
- 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 school's 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, 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:

- 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

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- 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 and concise from the offset, along with guidance on how to retract consent if you wish to do so.

SHARE MAT will only use your data within the guidelines that it has been collected for. 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 whereby collecting personal data is not mandatory, but that it feels it would be beneficial to the Trust 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 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, logged and managed when it is taken off site to ensure safe return or erasure



- The implementation of an enforced password protection policy whereby all passwords are random and non-traceable
- Encrypted software is used on all electronic tools
- Data Sharing Agreements are in place where data is required to be shared with a 3<sup>rd</sup> party, contractor or additional source

## **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 whereby your data may be shared, please see the ICO's website.

Where it is legally required to share personal data, the MAT may share your 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 it assesses its use and 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 school 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 data protection regulations

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

### **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.

**Holly Senior**- Premises, Compliance and Data Protection Officer

Email- [holly.senior@sharemat.co.uk](mailto:holly.senior@sharemat.co.uk)

Telephone- 01484 868777

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 Data Protection Officer 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

## **Appendix A- Coronavirus (COVID-19) Test Results**

Visitors should inform the school if any of the following apply:

- If they are showing symptoms of COVID-19 on-site
- If they show symptoms of COVID-19 48-hours after being on-site
- If they test positive for COVID-19 48-hours after being on-site
- If they have been in direct or proximity contact to an individual that has tested positive for COVID-19

Visitors are asked to verbally confirm their test results in order for a track and trace to be performed in school.

Under the General Data Protection Regulation, the school must not insist to see a copy of the test results or hold a paper or electronic copy of the test results.

Visitors are encouraged to share evidence of their test results if they wish to do so with a designated person in school.

Designated staff within school (such as an Administration Manager, Reception Staff or Head Teacher) are permitted to ask to see the test results provided by the NHS in order to authenticate the results of a visitor. Staff members not outlined as a designated person are not permitted to ask to view a test result.

School, are not required to hold a hard copy of the test results of a visitor. If a visitor provides a hard copy of a test results (i.e. via email) this will be securely destroyed once the status of the result has been authenticated.

The result status will be stored on an internal spreadsheet/ data base to support the schools internal 'Track and Trace' system whilst also supporting the national 'Test and Trace' scheme. The access to this spreadsheet is limited to essential personnel only.

A Data Protection Impact Assessment (DPIA) has been completed for the processing of this data as required by the Information Commissioners Office.

SHARE MAT has identified that test result data is classified as '*special category*' data. Under Article 9, SHARE MAT has identified that principle (i) applies to the processing of the identified special category data.



SHARE MAT has ensured that it's aims are lawful, fair and transparent to all staff to offer clarity around how processing testing data is completed.

For additional information on data subjects' rights throughout the Coronavirus pandemic please see below:

<https://ico.org.uk/global/data-protection-and-coronavirus-information-hub/coronavirus-recovery-data-protection-advice-for-organisations/testing/>

## **Appendix B- Coronavirus (COVID-19) Additional data shared**

During the Coronavirus pandemic, SHARE MAT is required to fully cooperate with external organisations in order to communicate correct and accurate data relating to positive Coronavirus cases.

SHARE MAT's obligation is outlined within the Department for Education's 'Guidance for Full Opening: Schools' document issued in September.

<https://www.gov.uk/government/publications/actions-for-schools-during-the-coronavirus-outbreak/guidance-for-full-opening-schools>

### **'Test and Trace'**

SHARE MAT is required by the Department for Education to actively engage with the NHS 'Test and Trace' scheme.

SHARE MAT may be required to share student's personal details in order to support the operational requirements of 'Test and Trace'.

SHARE MAT will only share the essential data required to support 'Test and Trace'.

### **Reporting cases in school**

SHARE MAT is required by the Department for Education to report all cases of Coronavirus to the following bodies:

- Department for Education Coronavirus Helpline
- Kirklees Council Infection Control Team
- Kirklees Council Emergency Planning Team
- Public Health England's Local Health Protection Team
- Health and Safety Executive (HSE for RIDDOR)

SHARE MAT will only share the essential data required to support each organisation.

### **Reporting breaches of legislation to the Authorities**



SHARE MAT is required by law to report any known breaches of Coronavirus legislation to the local authorities (i.e. Police).

SHARE MAT will only share the essential data required to support the organisation.