

The Auriga Academy Trust

Privacy Notice – Trustees and Governors

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1 Privacy Notice (How the Trust / schools use information)

The Trust / school collects, holds, uses and share information about its workforce. This is known as “personal data” and you have rights around that data, including knowing how and why the Trust / school are processing the data. “Processing” data means from collecting, storing, using, sharing and disposing of it. The Trust / school collects, holds and shares personal information on the Trust’s Trustees and School Governors.

For the purposes of Data Protection legislation, The Auriga Academy Trust is a data controller and is registered as such with the Information Commissioner’s Office.

2 Categories of information processed

The categories of Trustee / Governors’ information that is processed include:

- Personal identifiers, contacts and characteristics (such as name, date of birth, contact details, address and photograph)
- Governance details (such as role, start and end dates)
- information about medical or health conditions, that the Trust / school needs to know about, including whether you have a disability for which the Trust / school needs to make reasonable adjustments*
- checks made regarding online presence including social media searches.

The Trust / school may also collect, use and store information about criminal convictions, offences and prohibitions. This information may have come from other organisations including former employers, Teacher Regulation Agency, social services and the Disclosure & Barring Service.

3 Why the Trust / school collects and use Trustee / Governor information.

The personal data collected is essential, in order for the Trust / school to fulfil its official functions and meet legal requirements.

The Trust / school collects and uses governance information, for the following purposes:

- to meet the statutory duties placed upon the Trust / school
- facilitate safer recruitment (e.g. by carrying out criminal records checks)
- to help the Trust / school to deliver its responsibilities to the school community
- to communicate with the Trust and its Governing bodies
- to inform the school community of the identity of the individuals who comprise the Trust and Governing body
- photographic images for identification purposes (safeguarding and identifying Governors to parents and pupils), and celebration purposes (to record school events)

Under the General Data Protection Regulation (UK GDPR), the legal basis relied on for processing personal information for general purposes are:

- Article 6(a) – Your consent (for any processing which does not fall into the other bases explained below)
- Article 6(c) - Compliance and with Trust / school legal obligations
- Article 6(e) – Carrying out tasks in the Public Interest.

All maintained school governing bodies, under section 538 of the Education Act 1996 and academy trusts, under Academies Financial Handbook have a legal duty to provide the information as detailed above.

Reference should also be made to Keeping Children Safe in Education 2022 (statutory guidance from the Department for Education issued under Section 175 of the Education Act 2002 etc).

The ways the Trust / school collects and uses *sensitive* information about Trustees and governors are lawful based on: your explicit consent; for compliance with certain legal obligations, or for exercising certain legal rights; for protecting a person’s vital interests in an emergency; for health and public health reasons; or for carrying out tasks that are in the substantial public interest including for safeguarding purposes. Please refer to the Trust’s Special Category Data Policy document for full details of these lawful bases for processing this data. Types of data that are special category are indicated above by *.

3.1 Marketing Purposes

Where you have given the Trust / school consent to do so, the Trust / school may send you marketing information by text message or email promoting school events, campaigns and or charities. You can withdraw this consent at any time by contacting the Trust or school (see the Contacts section).

3.2 Automated decision making & profiling

The Trust / school does not currently process any personal data through automated decision making or profiling. Should this change in the future, privacy notices will be updated to explain both the processing and your right to object to it.

4 How the Trust / school collects Trustee and Governor information

The Trust / school collects personal information in a variety of ways. For example, data is collected through application forms, obtained from your passport or other identity documents such as your driving licence, from forms completed by you at the start of or during your term as a Trustee / Governor, from correspondence with you, or through interviews, meetings or other assessments, images provided by you or taken using school photographic equipment, local authorities, the NHS, the Police, the Disclosure and Barring Service and the Department for Education.

Trustee / Governors' data is essential for the Trust's / school'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 GDPR, the Trust / school will inform you at the point of collection, whether you are required to provide certain information or if you have a choice in this.

5 How, where and for how long the Trust / school stores Trustee and Governor information

The Trust / school stores Governor information securely on the Trust's / School's IT network. The Trust uses a cloud-based HR system (EveryHR) to manage HR data securely. The Trust uses a cloud-based governance support system (Governor Hub) to manage governance across the Trust. Secure storage is provided for paper-based records.

The Trust / school only keeps the information for the length of time it needs it for, as shown in the Trust's data retention schedule. For more information on the data retention schedule, please visit the Trust website.

The Trust / school disposes of personal information securely when it is no longer need it.

6 Who the Trust / school shares Trustee / Governor information with

The Trust / school routinely share this information with:

- The Local Authority
- The Department for Education
- The Trust Governing Body
- The Disclosure and Barring Service
- The school community (via the school website)

7 Why the Trust / school shares Trustee / Governor information

The Trust / school does not share information about its Trustees or Governors with anyone without consent unless the law and policies allow the Trust / school allow to do so.

8 Department for Education

The Trust / school share personal data with the Department for Education (DfE) on a statutory basis. The Trust is required to share information about its Trustees and Governors with the Department for Education (DfE) under Section 538 of the Education Act 1996.

9 Freedom of Information Act and Environmental Information Regulations 2004

As a public body, the Trust / school is subject to requests made under the above legislation. Therefore, the Trust / school has a legal obligation to process any personal data it holds when considering requests under these laws.

For example, the Trust may receive a request asking about numbers and/or roles of governors.

However, the Trust / school will never disclose personal data in its responses to these requests where to do so would contravene the principles of data protection.

10 Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that the Trust / school holds. To make a request for your personal information, contact the School Office, the Headteacher or the Data Protection Officer.

You also have the right to:

- be informed about the collection and use of your personal data.
- rectification, ie to have inaccurate personal data rectified, or completed if it is incomplete.
- erasure, often known as the 'right to be forgotten'; however this does not apply where, amongst other things, processing is necessary to comply with a legal obligation.
- restrict processing, although, as above this is a limited right.
- object; though other than for marketing purposes, this is also limited as above.

Where the Trust / school relies on your consent to process your data, you have the right to revoke that consent. If you do change your mind, or you are unhappy with the Trust / school use of your personal data, please let the Trust / school know –contacts are in section 2.14 at the end of this document.

You also have rights in relation to automated decision making and profiling, though these are not currently relevant.

Finally, the right to seek redress, either through the ICO, or through the courts.

11 How Government uses your data

The governance data that the Trust / school lawfully shares with the DfE via Get Information About Schools (<https://get-information-schools.service.gov.uk/>):

- will increase the transparency of governance arrangements
- will enable academy trusts and the department to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context
- allows 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.

Note: Some of these personal data items are not publicly available and are encrypted within the GIAS system. Access is restricted to a small number of DfE staff 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 law allows it.

12 Sharing by the Department of Education

The Department for Education (DfE) collects personal data from educational settings and local authorities. The Trust is 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

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.

To find out more about the data collection requirements placed on the Trust by the Government and the Department for Education including the data that is share with them, go to www.gov.uk/government/news/national-database-of-governors.

13 Contact

If you have any concern about the way the Trust / school is collecting or using your personal data, would like to exercise your rights, or you would like to discuss anything in this privacy notice, please raise your concern with the Trust / school in the first instance.

Please contact the School Office, Headteacher, CEO or Finance Director or the Trust's Data Protection Officer.

Data Protection Officer (DPO): Education Data Hub (GDPR for Schools), Derbyshire County Council
DPO Email: gdprforschools@derbyshire.gov.uk
DPO Phone: 01629 532888
DPO Address: County Hall, Smedley Street, Matlock, Derbyshire, DE4 3AG

For the Department of Education (DfE):

Public Communications Unit,

Department for Education,
Sanctuary Buildings,
Great Smith Street,
London, SW1P 3BT
Website: www.education.gov.uk
<https://www.gov.uk/contact-dfe>
Email: <http://www.education.gov.uk>
Telephone: 0370 000 2288

If you are dissatisfied with any of the responses received to your concerns, you can of course contact the ICO quoting the Trust ICO registration number **ZA207911** and stating that the Data Controller is The Auriga Academy Trust.

Information Commissioners' Office

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number
Fax: 01625 524 510
Website: <https://ico.org.uk/concerns/>

14 Last updated

The Trust may need to update this privacy notice periodically, so it is recommended that you revisit this information from time to time. This version was last updated on November 23.