



Policy:	Privacy Notice for Trustees, Governors, and Volunteers
Owner:	TDET ICT
Approving Board:	Resources Committee
Date of review:	September 2023
Date of next review:	October 2024
Publish Status:	Non-statutory
Version:	1

This privacy notice describes how we collect and use personal information about you, during and after your work relationship with us, in accordance with the UK General Data Protection Regulation (UK GDPR).

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

It applies to governors and volunteers.

### **Who Collects this Information**

Thomas Deacon Education Trust is a "data controller." This means that we are responsible for deciding how we hold and use personal information about you.

Under data protection legislation we are required to notify you of the information contained in this privacy notice. This notice does not form part of any contract of employment or other contract to provide services and we may update this notice at any time.

It is important that you read this notice, together with any other policies referenced within this privacy notice, to be aware of how we process your personal data.

### **Data Protection Principles**

We will comply with the data protection principles when gathering and using personal information, as set out in our Data Protection policy.

### **Categories of Information We Collect, Process, Hold and Share**

We may collect, store, and use the following categories of personal information about you:

- Personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses;
- Emergency contact information such as names, relationship, phone numbers and email addresses;
- Education details;
- DBS details;
- Employment details;
- Information about business and pecuniary interests;
- Information acquired as part of your application to become a Trustee or governor;
- Criminal records information as required by law to enable you to work with children;
- Information about your use of our IT, communications and other systems, and other monitoring information;
- Photographs;
- Images captured by the Academy's CCTV system;
- Video recordings capture by the Academy's video conferencing platform;

- Your racial or ethnic origin, sex, and sexual orientation, religious or similar beliefs;
- Details in references about you that we give to others.

## **How We Collect this Information**

The majority of the information that we collect from you is mandatory, however there is some information that you can choose whether to provide it to us. Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

We may collect this information from you directly, or from a number of third-party sources, such as other employees, the DBS, technical networks and so on.

## **How We Use Your Information**

We will only use your personal information when the law allows us to. Most commonly, we will use your information in the following circumstances:

- Where you have provided your consent;
- Where we need to perform the contract, we have entered with you;
- Where we need to comply with a legal obligation (such as health and safety legislation and under statutory codes of practice);
- Where it is needed in the public interest or for official purposes;
- Where it is necessary for our legitimate interests (or those of a third party) and your interests, rights and freedoms do not override those interests.

The situations in which we will process your personal information are listed below: -

- To determine appointment and suitability as a Trustee or governor;
- To deal with election of Trustees or governors;
- To comply with safeguarding obligations;
- To provide details on our website or online databases about Trustees or governors;
- To communicate with third parties and other stakeholders to the Academy;
- For business management and planning purposes (including accounting, budgetary and health and safety purposes);
- For financial purposes (such as expenses);
- To deal with any complaints/investigations as required;
- When you sit on a panel or committee, name, and comments as well as decisions made;
- To send communications in your role as Trustee or governor;
- For education, training, and development requirements;
- To review governance of the Academy or Trust;
- To comply with any legal dispute or any legal obligations;
- To comply with regulatory requirements or health and safety obligations;
- To ensure system security, including preventing unauthorised access to our networks;
- To monitor use of our systems to ensure compliance with our IT processes;
- To receive advice from external advisors and consultants;
- To liaise with regulatory bodies (such as the DfE, DBS); and

- Dealing with termination of your appointment;

If you fail to provide certain information when requested, we may be prevented from complying with our legal obligations (such as to ensure health and safety). Where you have provided us with consent to use your data, you may withdraw this consent at any time.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

## **How We Use Particularly Sensitive Information**

Sensitive personal information (as defined under the UK GDPR as “special category data”) require higher levels of protection and further justification for collecting, storing, and using this type of personal information. We may process this data in the following circumstances:

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- In limited circumstances, with your explicit written consent;
- Where we need to carry out our legal obligations in line with our data protection policy;
- Where it is needed in the public interest, such as for equal opportunities monitoring (or in relation to our pension scheme);
- Where it is needed in relation to legal claims or where it is necessary to protect your interests (or someone else’s interests) and you are not capable of giving your consent.

## **Criminal Convictions**

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations.

Where appropriate we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of working for us.

## **Sharing Data**

We may need to share your data with third parties, including third party service providers, where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. These include the following:

- Government departments or agencies
- The Local Authority
- Suppliers and Service providers
- Professional advisors and consultants
- The Department for Education
- Law enforcement

- Support services;
- DBS.
- Other Academies within the Trust.

Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations, and we require them to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the UK and the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

## **Retention Periods**

Except as otherwise permitted or required by applicable law or regulation, the Academy only retains personal data for as long as necessary to fulfil the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

Once you are no longer a Trustee, governor or volunteer of the Academy we will retain and securely destroy your personal information in accordance with our Data Retention Policy.

## **Security**

We have put in place measures to protect the security of your information (i.e., against it being accidentally lost, used, or accessed in an unauthorised way). In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know.

You can find further details of our security procedures within our Data Protection Policy and our Cyber Security policy.

## **Your Rights of Access, Correction, Erasure and Restriction**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Under certain circumstances by law, you have the right to:

- Access your personal information (commonly known as a “subject access request”). This allows you to receive a copy of the personal information we hold about you and to check we are lawfully processing it. You will not have to pay a fee to access your personal information. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.
- Correction of the personal information we hold about you. This enables you to have any inaccurate information we hold about you corrected.
- Erasure of your personal information. You can ask us to delete or remove personal data if there is no good reason for us continuing to process it.

- Restriction of processing your personal information. You can ask us to suspend processing personal information about you in certain circumstances, for example, if you want us to establish its accuracy before processing it.
- To object to processing in certain circumstances (for example for direct marketing purposes).
- To transfer your personal information to another party.

If you want to exercise any of the above rights, please contact the Trust in writing or via [info@tdet.education](mailto:info@tdet.education).

## **Right to Withdraw Consent**

In the limited circumstances where you may have provided your consent to the collection, processing, and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Trust. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## **How to Raise a Concern**

We hope that we can resolve any query you raise about our use of your information in the first instance.

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by us, then you can contact the DPO on the details below: -

Data Protection Officer:	Judicium Consulting Limited
Address:	72 Cannon Street, London, EC4N 6AE
Email:	<a href="mailto:dataservices@judicium.com">dataservices@judicium.com</a>
Web:	<a href="http://www.judiciumeducation.co.uk">www.judiciumeducation.co.uk</a>

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues.

## **Changes to this Privacy Notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.