

PRIVACY NOTICE FOR MEMBERS, DIRECTORS AND GOVERNORS

Under data protection law, individuals have a right to be informed about how Horizons Specialist Academy Trust (the Trust) uses their personal data. The Trust complies with this right by providing a 'privacy notice' to individuals when their personal data is processed.

This privacy notice explains how personal data concerning individuals working with the Trust and Academies in a voluntary capacity as Members, Directors or Governors is collected, stored and used.

The Trust is the 'data controller' for the purposes of data protection law. The 'Data Protection Officer' is Alison Ascough (see 'contact us' - page 4).

PERSONAL DATA HELD

The Trust processes data relating to all volunteers in a governance role. Personal data which may be collected, used, stored and shared (when appropriate) includes, but is not restricted to:

- Personal identifiers, contacts and characteristics, ie name, date of birth, contact details and post code, email addresses.
- Specific information to fulfil the requirements to register directors with Companies House.
- Information regarding business and pecuniary interests.
- Governance details, i.e. role, start and end dates, type of role.
- CCTV images captured by the Trust.
- Photographs for ID purposes.

The Trust may also collect, store and use information that falls into 'special categories' of more sensitive personal data. This includes information regarding (where applicable):

- Health conditions you have that the Trust should be aware of.
- Disability and access requirements.
- Race.
- Ethnicity.

The Trust may also collect, use, store and share (when appropriate) information received from the Disclosure and Barring Service in respect of criminal offence data.

WHY THIS DATA IS USED

The Trust processes this data to:

- Establish and maintain effective governance.
- Meet statutory duties placed upon the Trust for publishing and sharing information.
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils and students.
- Undertake equalities monitoring.
- Ensure that appropriate access arrangements are provided as and when required.

LAWFUL BASIS FOR USING THIS DATA

The Trust collects and uses personal information only when the law allows it. Most commonly, the Trust uses this information when it is a necessity, i.e.

- To comply with a legal obligation.
- To carry out a task in the public interest.

Less commonly, the Trust may also use personal information where:

- An individual has given consent to use it in a certain way.
- The Trust needs to protect the individual's vital interests (or someone else's interests).
- The Trust has a legitimate interest in processing the data.

Where an individual has provided consent to use their data, they may withdraw this consent at any time. The Trust will make this clear when requesting consent, and explain how consent may be withdrawn.

Some of the reasons listed for collecting and using personal information do overlap and there may be several grounds which justify using data.

COLLECTING INFORMATION

Whilst the majority of personal information collected by the Trust is mandatory, there is some information an individual can choose whether to provide.

Whenever the Trust seeks to collect information, it is made clear whether an individual must provide this information (and if so, what the possible consequences are for not complying), or whether the individual has a choice.

HOW DATA IS STORED

Personal data is stored in accordance with the Trust's Data Protection Policy. When an individual's relationship with the Trust ends, the Trust will retain and dispose of personal information in accordance with the Trust's Records Management Policy.

A copy of these policies are available from the Data Protection Officer or by downloading from the Trust's website.

DATA SHARING

The Trust does not share information about individuals in governance roles without consent unless the law or Trust policies dictate otherwise.

Where it is legally required, or necessary (and complies with data protection law) the Trust may share personal information with:

- The Department for Education (DfE) – the DfE collects personal data from educational settings and Local Authorities. The Trust is required to share information about individuals in governance roles with the DfE under the requirements set out in the Academies Financial Handbook. All data is uploaded manually onto the Get Information About Schools (GIAS) system and held by the DfE under a combination of software and hardware controls which meet the current government security policy framework. For more information, see 'How Government uses data' – page 4.
- DBS checking services, for safer recruitment.
- Local Authorities – to meet legal obligations to share certain information such as safeguarding concerns.
- The Trust's regulator (Ofsted).
- Professional advisers and consultants, i.e. relevant training opportunities.
- Trust auditors – who may check the Trust's records, including claims for expenses and related party transactions.

TRANSFERRING DATA INTERNATIONALLY

Were the Trust to transfer personal data to a country or territory outside of the European Economic Area, it would do so in accordance with data protection law.

RIGHTS – HOW TO ACCESS PERSONAL INFORMATION HELD BY THE TRUST

Individuals have a right to make a 'subject access request' to gain access to personal information which the Trust holds. If a subject access request is received, and if the Trust is holding information, the Trust will:

- Give a description of the information held.
- Confirm why the Trust is holding and processing the information and how long it will be kept.
- Explain where the information originated if not from the individual.
- Inform the individual who the information has been shared with or who it will be shared with.
- Inform the individual whether any automated decision-making is being applied to the data, and any consequences.
- Provide a copy of the information in an intelligible form.

Individuals should make a subject access request via the Trust's Data Protection Officer.

Note – any subject access request will be actioned within one month, unless it is particularly complex, i.e. during school holidays this may be difficult as staff holding data may not be in school.

OTHER RIGHTS REGARDING DATA

Under data protection law, individuals have certain rights regarding to how their personal data is used and kept safe. Individuals have the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress.
- Prevent personal data being used for direct marketing purposes.
- Object to the use of personal data for decisions being taken by automated means (by computer or machine, rather than by a person).
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict their information from being processed.
- In certain circumstances, be notified of a data breach.
- Make a complaint to the Information Commissioner's Office.
- Claim compensation for damages caused by a breach of the data protection regulations.

To exercise these rights, please contact the Trust's Data Protection Officer.

COMPLAINTS

The Trust takes any complaint regarding collection and use of personal information very seriously.

If an individual believes that the Trust's collection or use of personal information is unfair, misleading or inappropriate, or has any other concerns regarding the Trust's data processing, they should, in the first instance, raise it with the Trust.

To make a complaint, contact the Trust's Data Protection Officer, alternatively, contact the Information Commissioners Office:

Report a concern online at <https://ico.org.uk/make-a-complaint/>

Call: 0303 123 1113, or

Write to: Information Commissioner's Office

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

HOW THE GOVERNMENT USES DATA

The governance data which is lawfully shared with the DfE via GIAS:

- Will increase the transparency of governance arrangements.
- Will enable maintained schools and academy trusts and to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context.
- Will allow the DfE to uniquely identify an individual and in a small number of cases, conduct checks to confirm their suitability for this important and influential role.

For more information relating to data collection requirements placed on the Trust by the DfE follow this link:

<https://www.gov.uk/government/news/national-database-of-governors>

NOTE: some personal data items are not publically available and are encrypted within the GIAS system. Access is restricted to a small number of DfE staff to enable them to fulfil their official duties. The information is for internal purposes only and not shared beyond the Department unless the law allows it.

HOW TO FIND OUT WHAT PERSONAL DATA IS HELD BY DfE

Under the Data Protection Act 2018, an individual is entitled to ask the DfE:

- If it processes their personal data.
- For a description of the data it holds.
- The reasons for holding the data and details of any recipient to whom the data may be disclosed.
- For a copy of personal data held and details of the source of the data.

Should an individual wish to see the personal data held, they should make a 'subject access request'. Further information can be found within the Department's personal information charter published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

Individuals may also contact the DfE direct using this link: <https://www.gov.uk/contact-dfe> and complete the on line contact form.

CONTACT THE TRUST

Any questions, concerns or requests for more information regarding this privacy notice, should be directed to the Trust's Data Protection Officer:

Alison Ascough
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Stockton-on-Tees
TS19 8BU
Tel: 01642 6771133
Email: DPO@horizonstrust.org