



Tudhoe Learning Trust Privacy Notice for Trust Governance

Last updated: November 2024

Tudhoe Learning Trust as an organisation seeks to ensure that personal data is collected, processed and retained in line with the Data Protection Act and General Data Protection Regulations 2018.

This notice explains what personal data our Trust collects relating to our governance colleagues, how and why it is collected, how it is stored and used and with whom this data may be shared.

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time.

The Trust office will seek consent for the collection of personal data where this is required.

The type of personal information we collect

We currently collect and process the following information:

- Date of birth
- Gender
- Occupation
- Start date
- Skills and experience
- Information acquired as part of your application to become a governor / trustee (including copies of identity checks (including, where Standard or Enhanced Disclosure and Barring Service Checks, Barred Lists Checks, and disqualification checks, information about bankruptcy, references and other information included in a CV, application form or cover letter or as part of the application process)
- Information about pecuniary or business held by you or your family members.
- Information about other posts held by you.
- Information about your conduct
- Information about your use of our information and communications systems
- Photographs and CCTV images captured in school/on site

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about your race or ethnicity or religious beliefs
- Information about your criminal records, fines and other similar judicial records
- additional personal information in the course of governor/trustee activities throughout the term of your appointment

How we get the personal information and why we have it

Most of the personal information we process is mandatory and provided voluntarily by the Director or Governor for one of the following reasons:

- Enable the fulfilment of official functions
- Meet the statutory duties placed upon us

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing this information are:

- **Consent.** Consent has been given in order to process personal information for a specific purpose. Directors and Governors are able to remove consent where this is required at any time. You can do this by contacting the Trust Office.
- **Contract.** The processing of data is necessary to comply with a contractual obligation.
- **Legal Obligation.** We have a legal obligation to retain information relating to our governance.
- **Vital Interests.** The processing is necessary to protect someone's life.
- **Public Task.** The processing is necessary to perform a task in the public interest and to complete a function that is required by law.
- **Legitimate Interests.** The processing is necessary for the legitimate interest of the Trust and school or the legitimate interests of a third party unless there is a good reason to protect an individuals' personal data which overrides those legitimate interests.

Collecting governance information

Governance roles data is essential for the 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 UK-GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

How we store your personal information

We hold governance data securely for the set amount of time shown in our records retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit the Trust Website at www.tudhoelearningtrust.co.uk

Who we share governance information with

We routinely share workforce information as appropriate with:

- Our local authority (where applicable)
- The Department for Education (DfE)
- The Education & Skills Funding Agency
- The Disclosure and Barring Service
- The Police or other law enforcement agencies
- Our IT provider
- Insurance providers/the Risk Protection Arrangement

Why we share governance information

We do not share information about our governance with anyone without consent unless the law and our policies allow us to do so.

We share governance data with the Department for Education (DfE) on a statutory basis.

We are required to share information about our governance for Data Collection requirements. It is stored securely by the Department in electronic format.

Why we collect and use governance information

- The situations in which we will process your personal information are:
- Making a decision about whether to appoint you as a governor.
- Dealing with any processes for the election of governors
- Checking your suitability to be a governor
- Complying with our general safeguarding obligations
- Providing information on our website about our governors
- Providing information on any online databases to set out our governance arrangements
- Communicating with stakeholders about the school
- Business management, administrative and planning purposes, including accounting and auditing.
- Financial information such as expenses claimed.
- Responding to complaints or investigations from stakeholders or our regulators
- Sending you communications connected with your role as a governor
- Making decisions about your continued appointment as a governor
- Making arrangements for the termination of your appointment
- Education, training and development requirements
- For the purposes of carrying out governance reviews
- Dealing with legal disputes involving you or other stakeholders
- Complying with health and safety obligations
- For the purposes of keeping records about governor/trustee decision-making processes, including copies of minutes, reports and other documentation.
- Where you sit on a committee or a panel on a school matter we may process your name, opinions, comments and decisions attributed to you, for example, if you sit on a panel for the purposes of considering a complaint, exclusion or HR issue.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution
- To maintain and promote equality.
- To receive advice from external advisors and consultants
- In appropriate circumstances to liaise with regulatory bodies, the Local Authority, the DBS, the Department for Education or external governance support provider about your suitability to be a governor or in connection with other regulatory matters. Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide certain information when requested, we may be prevented from complying with our legal obligations (such as to discharge our safeguarding obligations) 3 or we may be unable to discharge our obligations which may be in the public interest or for official purposes.

The personal data collected is essential, for the school to fulfil their official functions and meet legal requirements.

We collect and use governance information, for the following purposes:

- a) to meet the statutory duties placed upon us

Under the UK General Data Protection Regulation (GDPR) 2018, the legal bases we rely on for processing personal information for general purposes are:

- For the purpose a) named above in accordance with the legal basis of legal obligation

The Department for Education (DfE) collects personal data from educational providers and local authorities. We are required to share information about individuals in governance roles with the Department for Education (DfE), under:

We are required to share information about individuals in governance roles with the Department for Education (DfE) under the requirements set out in the academy trust handbook.

All data is entered manually on the GIAS service and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current government security policy framework.

For more information, please see the 'How Government uses your data' section.

Your data protection rights

Requesting access to your personal data

The UK GDPR gives you certain rights about how your information is collected and used. To make a request for your personal information, contact the Trust Office.

Your rights include:

- The right to be informed about the collection and use of your personal data - this is called 'right to be informed'.
- The right to ask us for copies of personal information we have about you - this is called 'right of access', this is also known as a subject access request (SAR), data subject access request or right of access request.
- The right to ask us to change any information you think is not accurate or complete - this is called 'right to rectification'.
- The right to ask us to delete your personal information - this is called 'right to erasure'.
- The right to ask us to stop using your information - this is called 'right to restriction of processing'.
- The 'right to object to processing' of your information, in certain circumstances.
- Rights in relation to automated decision making and profiling.
- The right to withdraw consent at any time (where relevant).
- The right to complain to the Information Commissioner if you feel we have not used your information in the right way.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact the Trust Office if you wish to make a request.

There are legitimate reasons why your information rights request may be refused. For example, some rights will not apply:

- Right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- Right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- Right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at raise a concern with ICO.

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the How Government uses your data section of this notice.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the Trust Office.

How to raise a concern

If you would like to discuss any information contained within this Privacy Notice or have any concerns about our use of your personal information, you may contact the Trust Data Protection Officer directly via dpo@tudhoelearningtrust.co.uk

Alternative, you may raise a concern directly to the ICO if you are unhappy with how we have used your data.

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>

How government uses your data

The governance data that we lawfully share with the Department for Education (DfE) via GIAS will:

- Increase the transparency of governance arrangements
- Enable local authority maintained schools, academies, academy trusts and the Department for Education (DfE) to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context
- Allow the Department for Education (DfE) 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

Data collection requirements

To find out more about the requirements placed on us by the Department for Education (DfE) including the data that we share with them, go to <https://www.gov.uk/government/news/national-database-of-governors>

Some of these personal data items are not publicly available and are encrypted within the GIAS system. Access is restricted to authorised Department for Education (DfE) and education establishment users with a Department for Education (DfE) Sign-in (DSI) account 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 for Education (DfE) unless the law allows it.

How to find out what personal information the Department for Education (DfE) hold about you

Under the terms of the [Data Protection Act 2018](#), you're entitled to ask the Department for Education (DfE):

- If they are processing your personal data
- For a description of the data they hold about you
- The reasons they're holding it and any recipient it may be disclosed to
- For a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a subject access request (SAR). Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

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

or

<https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

To contact DfE: <https://www.gov.uk/contact-dfe>