

# Privacy Notice for Members, Trustees and Governors

## Who we are

The Bay Learning Trust is a Multi-Academy Trust operating Academies. It is an exempt charity whose Principal Regulator is the Department for Education. We are a Data Controller for the purposes of Data Protection legislation and registered with the Information Commissioner's Office for this purpose under registration number [ZA474474].

This Privacy Notice is intended to provide the information about how we process Governor information across the Trust in a concise, easily understandable format. More detailed information about how collect, store and use information can be found in the Trust's Data Privacy Policy.

## Terminology

Where this notice refers to Governors, this applies to all data subjects who have a governance capacity within the Trust and its associated Academies e.g. Members, Trustees/Directors and Governors of the Local Governing Bodies.

## The categories of governor information that we process include:

- personal identifiers, contacts and characteristics (such as name, date of birth, contact details and postcode)
- personal identifiers, such as addresses (which is used for postal reasons in connection with their role)
- governance details (such as role, start and end dates and governor ID);
- background check information to check suitability to take office (DBS results for a time and certificate numbers for the single central register)
- opinions given in meetings at board level, committee or during ad-hoc panel hearings
- photograph images (including CCTV)
- use of Trust systems including network access

This list is not exhaustive, and we will add to it from time to time to cover the key categories of information that we process. If you have any queries about the personal data that we are processing about you, please contact our Data Protection Officer.

## Why we collect and use governor information

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

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

- a) to meet the statutory duties placed upon us, including those set out in company and education law
- b) to enable appropriate communication between Trust/Academy and Governor;
- c) to ensure transparency in our governance arrangements;
- d) to be clear on who is taking decision impacting the Trust and our academies
- e) to keep the Department for Education and Education and Skills Funding Agency

- informed of those with the authority to make decisions within the Trust and our academies;
- f) to maintain registers as required by company law
  - g) to monitor safe use of our network and IT systems to ensure we comply with our child protection obligations, PREVENT duty and for appropriate use within your role

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

- i. processing is necessary for compliance with a legal obligation under company, education or child welfare law
- ii. processing is necessary for the performance of a task in the public interest, or in the exercise of official authority vested in the Trust
- iii. when we have a legitimate interest and the processing of your personal information is necessary to achieve this, for example when monitoring use of our network and IT systems
- iv. in limited circumstances we may seek your consent when none of the above are applicable.

All Academy Trusts, under the [Academies Financial Handbook](#) have a legal duty to provide the governance information as detailed above.

In addition, concerning any special category or criminal conviction data:

- where there is a substantial public interest, for example when processing information to ensure suitability for the role or when there have been allegations made that need investigating.
- in limited circumstances we may also process special categories of your personal data if it is in your vital interests to do so, for example, when we need to get medical assistance to attend you in an emergency situation.

## Collecting governor information

We collect personal information via data collection forms at the outset of your relationship with the Trust and will refresh and maintain this throughout your time with the Trust to ensure our records are accurate. Information will also be collected through minutes of meetings attended and letters issued when exercising a function delegated to the Governor.

Governor data is essential for the Trust'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, 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.

## Storing governor information

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit <https://www.baylearningtrust.com/key-information/policies>

## Who we share governor information with

We routinely share this information with:

- our Multi-Academy Trust (MAT) and its constituent Academies
- the Department for Education (DfE) and Education and Skill Funding Agency (EFSA);
- Companies House;
- Local Authorities;
- Our professional advisors;
- Parents and pupils.

## Why we share governor information

We share this information with these third parties to enable us to meet the statutory duties placed upon us and in line with the lawful conditions of processing as described above. In particular, as an Multi-Academy Trust we are under legal obligations in company and education law to ensure we are transparent about our governance arrangements. We must also publish information under the Freedom of Information Act 2000 under which the public is entitled to know about the Trust as a public authority.

Otherwise, we do not share information about our governors with anyone without consent unless the law and our policies allow us to do so.

## Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities. We are required to share information about our Governors 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](#).

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

## Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact the Data Protection Officer (details set out below).

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance by contacting our Data Protection Officer or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by 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 Data Protection Officer (details set out below).

## Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on October 2020

## Contact

If you would like to discuss anything in this privacy notice, please contact:

The Data Protection Officer  
The Bay Learning Trust  
The Lodge  
Ripley St Thomas Church of England Academy  
Ashton Road  
Lancaster  
LA1 4RR

## How Government uses your data

The governor data that we lawfully share with the DfE via GIAS:

- will increase the transparency of governance arrangements
- will enable schools 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

## Data collection requirements

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

**Note:** Some of these personal data items are not publically 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 the law allows it.

## How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

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

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