Privacy Notice – Trustees/Governors and other Volunteers

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Date reviewed: Spring 2025
Date for next review: Summer 2027

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1. Introduction

Under UK data protection law, individuals have a right to be informed about how our school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **individuals working with our Trust in a voluntary capacity, including members, trustees and governors,** during and after their working 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 relates 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.

Our Trust, Youth Engagement Schools Trust is the 'data controller' for the purposes of UK data protection law.

Our data protection officer is Judicium Consulting Limited (please see 'How to raise a concern' below).

2. Who collects this information

In its capacity as the "data controller" of personal data, the Trust gathers and uses certain information about you. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice. We will comply with the data protection principles when gathering and using personal information, as set out in our Data Protection Policy.

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 with any other policies mentioned within this privacy notice, so that you are aware of how and why we are processing your information, what your rights are under data protection legislation and the procedures we take to protect your personal data.

3. 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/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 our school's CCTV systems
- Video recordings captured by our school's video conferencing platforms
- Details in references about you that we give to others

We may also collect, store and use the following more sensitive types of personal information:

- Information about your race or ethnicity, religious or philosophical beliefs
- Information about your health, including any medical conditions.

4. 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 or not to provide 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 trustees, governors and volunteers, the DBS, technical networks and so on.

5. How and why 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 a contract we have entered into 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 member/trustee/governor
- To deal with election of governors
- To comply with safeguarding obligations

- To provide details on our website or online databases about members/ trustees/governors
- To communicate with third parties and other stakeholders to the Trust
- 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 member/trustee/governor
- For education, training and development requirements
- In order to review governance of the Trust
- In order to comply with any legal dispute or any legal obligations
- In order 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

5.1 Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us at the Central Trust Office Tel: 01270 490042 | Email: admin@theyestrust.org.

5.2 Use of your personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

5.3 Use of your personal data for filtering and monitoring purposes

While you're in one of our schools, we may monitor your use of our information and communication systems, equipment and facilities (e.g. school computers). Any individual who uses our school networks might have their system monitored via the safeguarding and filtering software that we have in place. Further information we undertake on monitoring in the workplace and how we do this can be requested from admin@theyestrust.org

We do this so that we can:

- Comply with health and safety and other legal obligations
- Comply with our policies (e.g. child protection policy, IT acceptable use policy) and our legal obligations

- Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s)

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 make this clear when requesting your consent, and explain how you would go about withdrawing consent if you wish to do so (see 'Right to withdraw consent')

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.

6. How we use particularly sensitive information

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

- 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.

6.1 Criminal offence data

For criminal offence data, we will only collect and use, where the law allows us to do so and will usually be where it is necessary to carry out our legal obligations and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

7. How we store this data

We keep personal information about you while you volunteer at our school. We may also keep it beyond your work at our school if this is necessary. Our Data Retention Policy sets out how long we keep information about governors/trustees and other volunteers.

A copy of this is available on request and is linked in our Data Protection Policy.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

8. Who we share data with

We do not share information about you with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with UK data protection law), we may share personal information about you with:

- Our local authorities, to meet our legal obligations to share certain information with it, such as safeguarding concerns – as we work across multiple LA's, we are referring to those that have placed pupils in our school, or in which our schools operate.
- Government departments or agencies
- Our regulators, for example: Ofsted, Department for Education, Education and Skills Funding Agency
- Suppliers and service providers:
    - EVERY HR,
    - Financial organisations – anonymised data only
- Our auditors
- Survey and research organisations – anonymised data only
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts or tribunals

8.1 Transferring data internationally

We may share personal information about you with the following international third parties, where different data protection legislation applies:

Where we transfer your personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

9. Your rights of access, correction, erasure and restriction

9.1 How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

9.2 Your other rights regarding your data

Under UK data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
- 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 any of these rights, please contact us (see 'Contact us' below). We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights).

10. 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 your school's Office Manager (for governors) / Trust Office Manager (for trustees). 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.

11.How to raise a concern

We take any concerns about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us 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 or would like more information about anything mentioned in this privacy notice, then you can contact the DPO on the details below: -

Judicium Consulting Limited
Email: dataservices@judicium.com
Web: www.judiciumeducation.co.uk
Telephone: 0345 548 7000 option 1 then option 1 again

Alternatively, you have the right to make complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues:

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

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Email: dataservices@judicium.com
Web: www.judiciumeducation.co.uk
Telephone: 0345 548 7000 option 1 then option 1 again

12. 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.