



## **Privacy Notice for visitors, volunteers, trustees and those in governing roles**

This notice explains why Aurora Academies Trust collects personal data of individuals other than pupils, parents and workforce and how we use and share it. For the purposes of data protection law Aurora Academies Trust is the “data controller”.

### **Categories of data subject, the data we collect and hold and why we use this data**

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.

The categories of other information that we collect, hold and share include:

#### **Visitor and volunteer information**

Visitor and volunteer information is collected so that:

- We have a record of who is and has been in the building, for health, safety and operational purposes (legal obligation)
- We have a record of official visits, such as inspections or maintenance (task in a public interest)
- Where needed, Disclosure and Barring Service checks may take place (task in a public interest or legal obligation)

Data collected includes:

- Name
- Associated business
- Purpose of visit
- Photo
- Car registration
- Driving license, passport or other official documentation for identity verification
- Disclosure and Barring Service check results

#### **Governance roles information**

The personal data collected is essential in order for the school to fulfil their official functions and meet legal requirements. We collect and use governance information for the following purposes:

- to meet the statutory duties placed upon us
- We can communicate with those governing on school business (tasks in the public interest)
- There is a public record of Trustees and LAB members and their business interests (task in a public interest and legal obligation)
- There is a record of Trustee and LAB member attendance (task in the public interest)
- There is a record of Trustee and LAB member training (task in the public interest)
- Disclosure and Barring Service checks can be carried out (task in a public interest and legal obligation)
- To facilitate access to training and support (task in the public interest or legal obligation)

Data collected includes:

- Name
- Address
- Contact information
- Date of birth
- Business interests
- Financial interests
- Governor ID
- Governance roles in other schools
- Date of appointment and length of terms
- Driving licence, passport or other official documentation for identity verification
- Disclosure and Barring Service check results

All academy trusts, under the [Academy Trust Handbook](#) have a legal duty to provide the governance information as detailed above.

### The lawful basis on which we process this information

We collect and process your information:

- Under Article 6 of the General Data Protection Regulation (GDPR), in accordance with the **Public Task** basis to fulfil our statutory function as a school, to perform our official function (public task); such as equal opportunities monitoring, for child protection purposes or where otherwise authorised by law, such as Departmental Censuses as required in the Education Act 1996;
- Under Article 9 of the General Data Protection Regulation (GDPR), where data is Classed as Special Category data, e.g. health etc Protection Regulation (GDPR) to carry out tasks in the public interest;
- In accordance with the **Vital Interests** basis- we will use personal data in a life or death situation;
- Where it is carried out as a task in the public interest, such as equal opportunities monitoring, for child protection purposes or where otherwise authorised by law, such as Departmental Censuses as required in the Education Act 1996.
- In accordance with the **Contract** basis - if we need to process the data to fulfil a contract with you or to assist you in entering into a contract with us;
- In accordance with the **Consent** basis- we will obtain consent from you to use your personal data;
- In accordance with the **Legitimate Interest** basis- where there is minimal privacy impact, and we have a compelling reason;
- To facilitate your attendance in schools, background checks from the Disclosure and Barring Service may be done which may involve the collection of criminal convictions;
- In accordance with the **Legal Obligation** basis- we need to process the data to meet our responsibilities under certain laws;
- (Governance data) All academy trusts, under the Academy Trust Handbook have a legal duty to provide the governance information as detailed above.

Our basis for using **Special Category Data under Article 9** of the GDPR will only be when we have both a lawful basis as set out above and under the following legal grounds, in accordance with the Data Protection Act (2018), Schedule 1:

- Where we have obtained your explicit consent to use your data in a specific way;
- When we need to perform or exercise an obligation or right in relation to employment, social security or social protection law;
- When we need to protect an individual's vital interest (i.e protect your life or someone else's life) in situations where you are physically or legally incapable of giving your consent;
- Where the data concerned has already been made manifestly public by you;
- When we need to process it for the establishment, exercise or defence of legal claims;
- Where we need to process it for reasons of substantial interest as defined in legislation;
- When we need to process it for health or social care purposes and the processing is done by/or under the direction of a health or social care work professional or by any other person obliged to do so, confidentiality under law;
- Where we need to process it for public health reasons and the processing is done by/or under direction of a health or social care work professional or by any other person obliged to do so confidentiality under law; and
- Where we need to process it for archiving purposes, scientific or historical researching purposes or for statistical

purposes and processing is in the public interest.

Where you have provided us with consent to process your data, you may withdraw this consent at any time. We will make this clear when requesting your consent and will explain how to withdraw your consent if you wish to do so.

### Collecting this information

Whenever we seek to collect information from you, we will make it clear whether you must provide this information (and if so, the possible consequences of not complying) or whether you have a choice:

- **Visitors and volunteers:** As a visitor or volunteer, the information that you provide to us is voluntary. However, we may restrict access to the school if the information is not provided; and
- **Governance roles:** Governance roles data is essential for the school, academy or academy trust's operational use. Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

### Storing this information

We hold this information in accordance with data protection legislation and Aurora's Data Retention and Destruction Policies.

### Transfer of personal data

Some personal data may be transferred overseas, for example if the school website, email or document management system is hosted overseas. Data protection laws allow us to transfer personal data within the European Economic Area (EEA). Where the transfer is to a recipient outside of the EEA we will ensure that there are adequate protections in place, such as use of the Privacy Shield scheme in the USA.

### Who we share this information with

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

- **Visitors and volunteers:** your information will not be shared unless requested by an external agency, in the course of a health and safety incident or in the investigation of a crime; and
- **All governance roles:** We will publish the names, business interests, financial interests and governance roles of all individuals in a governance role on the Trust website. Governance information is also published on the DfE's Get Information About Schools portal. We also share your data with Governor Hub and the National Governance Association.
- **Trustees:** As trustees are company directors, we are required to share their information with Companies House.

### The Department for Education

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 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 rights

You have rights associated with how your data is collected and processed. Not every right is absolute, but under certain circumstances, you can invoke the following rights:

- Right of access
- Right of erasure
- Right of rectification
- Right to object to processing
- Right to be informed
- Right to data portability
- Right not to be subject to decisions based on automated decision making
- Right to restrict processing
- Right to seek compensation for damages caused by a breach of the Data Protection regulations.

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 or directly to the Information Commissioner's Office (ICO) at [Information Commissioner's Office](#).

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 Data Protection Officer (DPO) using the contact details at the end of this notice.

### **Concerns about how your personal data is handled**

If you have a concern about the way we are collecting or using your personal information, we request that you raise your concern with the Data Protection Officer in the first instance. You may also contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>.

### **How the 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; and
- 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 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; **4**
- the reasons they're holding it and any recipient it may be disclosed to; and

- 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>

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

## **Contact**

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

*Data Protection Officer:* James England

*Telephone:* 0800 0862018

*Email:* [dpo@dataprotection.education](mailto:dpo@dataprotection.education)

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