

## Privacy notice for Trustees, Governors and other Volunteers

### Introduction

Under UK data protection law, individuals have a right to be informed about how our trust 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 governors and trustees.**

We, Birmingham Diocesan Multi-Academy Trust, are the "data controller" for the purposes of UK data protection law.

Birmingham Diocesan Multi-Academy Trust Schools:

Austrey Church of England Primary School – Warwickshire  
 Bentley Heath Church of England Primary School - Solihull  
 Christ Church, Church of England Secondary Academy – Yardley Wood  
 Coleshill Church of England Primary School – Coleshill (North Warwickshire)  
 Hawkesley Church Primary Academy – Kings Norton  
 Holy Trinity Church of England Primary Academy – Handsworth  
 Lady Katherine Leveson Church of England Primary School - Solihull  
 Nethersole Church of England Primary Academy – Polesworth (North Warwickshire)  
 Nonsuch Primary School – Woodgate Valley  
 Newton Regis Church of England Primary School – Tamworth (Staffordshire)  
 Quinton Church Primary School -Quinton  
 St. Clement's Church of England Primary Academy – Nechells  
 St. George's Church of England Primary Academy – Edgbaston  
 St. George's Church of England Primary Academy – Newtown  
 St. Margaret's Church of England Primary School - Solihull  
 St. Michael's Church of England Primary Academy – Handsworth  
 St. Michael's Church of England Primary Academy – Bartley Green  
 Warton Nethersole's Church of England Primary School - Tamworth (Staffordshire)  
 Woodside Church of England Primary School – Warwickshire

We are an education organisation, and our contact details are:

Address:	1 Colmore Row, Birmingham, B3 2BJ
Email:	<a href="mailto:enquiries@bdmat.org.uk">enquiries@bdmat.org.uk</a>
Telephone number:	0121 426 0403

Our Data Protection Officer (DPO) is Michele Fullwood, Head of School Support, who can be contacted at 1 Colmore Row, Birmingham, B3 2BJ, [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk) or 0121 426 0403 if you have any queries about this notice or anything related to data protection.

### **The personal data we hold.**

Personal data that we may collect, use, hold and share (when appropriate) about you includes, but is not restricted to :

- Personal information (such as names, dates of birth, contact details and address)
- Governance details (such as role, start and end dates and Governor ID)
- References
- Employment details
- Information about business and pecuniary interest

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to:

- Information about any health conditions you have that we need to be aware of
- Information about disability and access requirements
- Photographs and CCTV images captured in school

### **Why we use this data**

We use the data listed above to:

- a) Establish and maintain effective governance.
- b) Meet the statutory obligations for publishing and sharing governors and trustees' details.
- c) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils.
- d) Undertake equalities monitoring
- e) Ensure that appropriate access arrangements can be provided for volunteers who require them.

### **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 contacting us (see 'Contact us' below).

### **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 to explain the processing to you, including your right to object to it.

### **Our lawful basis for using this data.**

Our lawful bases for processing your personal data for the purposes listed in the **Why we use this data** section above are as follows:

For the purposes of a) and d) from the section **Why we use this data** in accordance with the "Public Task" basis - we need to process personal data to fulfil our statutory function as a school as set out here: We share information with Governor Hub so that the MAT can operate effectively to meet its obligations under the Education Act 1996 which requires that schools operate and that children in England and Wales aged five to 16 receive full-time education.

For the purposes of b) and d) from the section **Why we use this data** in accordance with the "Legal Obligation" basis - we need to process personal data to meet our responsibilities under law as set out here: All academy trusts, under the Academies Financial Handbook have a legal duty to provide the governance information as detailed above. Data is entered manually on the GIAS system and held by the DfE under a combination of software and hardware controls which meet the current government security framework.

For more information please see "How Government uses your data" section on page 9.

For the purposes of c) from the section **Why we use this data** in accordance with the "Legal Obligation" basis - we need to process personal data to meet our

responsibilities under law as set out here: All schools must carry out checks on individuals to safeguard pupils as recorded in Keeping Children Safe in Education.

For the purposes of e) from the section **Why we use this data** in accordance with the “Legal Obligation” basis - we need to process personal data to meet our responsibilities under law as set out here: The Health and Safety at Work Act 1974 and The Management of Health and Safety at Work Regulations 1999 state all schools have a duty to protect the health and safety of all visitors

### **Our basis for using special category data**

For ‘special category’ data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law.
- 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 the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- 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 work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, 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

### **Collecting this data**

While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

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.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals

### **How we store the data**

We keep personal information about you while you volunteer within BDMAT. We may also keep it beyond your work for us if this is necessary.

Our data retention guidelines, which can be found on the BDMAT website <https://bdmatschools.com/documents/bdmat-retention-policy/> sets out how long we keep information about staff. A copy is available on request.

## 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 dependent upon school location (Birmingham, Solihull or Warwickshire) – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- Government departments or agencies
- Our regulator, Ofsted
- Suppliers and service providers:
  - Our sign in apps
  - Governor Hub
- Our auditors
- Professional advisers and consultants
- Police forces, courts, tribunals

## Your Rights

### How to access to 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 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).

Subject access requests can be made verbally. To ensure that your verbal request is fully understood the Information Commissioners Office (ICO) on their website say the following:

*Yes. You can make a subject access request verbally, but we recommend you put it in writing if possible because this gives you a record of your request.*

*If you are making a verbal request, try to:*

- *use straightforward, polite language;*
- *focus the conversation on your subject access request;*
- *discuss the reason for your request, if this is appropriate – work with them to identify the type of information you need and where it can be found;*
- *ask them to make written notes – especially if you are asking for very specific information; and*
- *check their understanding – ask them to briefly summarise your request and inform them if anything is incorrect or missing before finishing the conversation.*

*However, even if you make your request verbally, we recommend you follow it up in writing (eg by letter, email or using a standard form).*

To avoid confusion, we ask you when making a subject access request, you do so by contacting our Data Protection Officer, Michele Fullwood, in writing to Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or by email to [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk)

## **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 processing of your personal data
- Prevent processing of your personal data for the purpose of direct marketing.
- Object to decisions being taken by automated means.
- In certain circumstances, have your personal data rectified, erased or restricted in its processing

- Withdraw your consent, where you have previously provided it for 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 our Data Protection Officer, Michele Fullwood, Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or email [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk)

### **Complaints**

We take any complaints 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 the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance.

To make a complaint contact our Data Protection Officer, Michele Fullwood, Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or email [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk)

Alternatively, you can make a complaint to the Information Commissioner's 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

### **Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer, Michele Fullwood, Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or email [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk)

### **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 drafted on December 17<sup>th</sup>, 2021.



## **How Government uses your data.**

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

- will increase the transparency of governance arrangements
- will enable maintained schools and academy trusts 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 publicly 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 are 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 are 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>