



PRIVACY NOTICE FOR MEMBERS, TRUSTEES & GOVERNORS

THIS NOTICE APPLIES TO THE HEARTWOOD LEARNING TRUST (HLT)
MEMBERS, TRUSTEES AND ALL LOCAL GOVERNING COMMITTEE GOVERNORS

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Introduction

Heartwood Learning Trust (HLT) and its schools/academies are the data controllers for Members', Trustees' and Governors' information. The Trust has a duty to inform existing and potential Members, Trustees and Governors how we process the data that is in our control. New Members, Trustees and Governors will be made aware of this Privacy Notice as part of their induction process. The Trust has a Service Level Agreement with the City of York's Governance Service. The Governance Service supports HLT with all aspects of governance, at all levels and locations within the Trust. The Governance Service operates under its own separate Privacy Notice, which is available at: www.york.gov.uk/privacy/GovernanceSupportAndDevelopmentService

1. Privacy Notice - How the Trust uses Member, Trustee and Governor Information

What Categories of Information are Processed?

The categories of personal information that we process include the following:

- Personal identifiers, contacts and characteristics - e.g. name, date of birth, contact details and postcode, title
 - in the case of Trustees and Members, additional data is processed for the use of Companies House: nationality, former names, address, country of residence, occupation
- Governance information - e.g. role, start date, end date, training log, attendance at meetings, any specific areas of responsibility
- Relevant pecuniary and business interests

This list is not exhaustive.

The Governance Service maintains a database and secure files which hold this data on behalf of the Trust. Data is passed between the Trust and the Governance Service in order to enable the Members, Trustees and Governors to fulfil their roles.

2. Why do we collect and use your information?

The personal data we collect about you is essential, in order for the Trust to fulfil its official functions and meet legal requirements. The Trust therefore has a lawful basis for collecting and processing your personal data. Members, Trustees and Governors would not be able to fulfil their roles if data about them was not processed by the Trust.

We collect and use your information for the following reasons:

- To meet the statutory duties placed upon the Trust
- To fulfil the requirements of Companies House, Get Information About Schools (GIAS) and the Academy Trust Handbook
- To enable the Trust/school/academy and the Governance Service to communicate with Members, Trustees and Governors - to support them in their role

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

- For the purpose of meeting the statutory duties placed upon the Trust/school/academy in accordance with the lawful basis of legal obligation.
- Academy Trusts, under the '[Academy Trust Handbook](#)', have a legal duty to provide the governance information as detailed above.
- Members, Trustees and Governors are appointed to these roles in order to perform a public task which will include the basis of legal obligation and legitimate interest.

For special category data, we also rely on the following conditions under Article 9 of the UK GDPR:

- Reasons of substantial public interest.

3. How do we collect your information?

We collect your personal information via the following methods:

- Trustee and governor application form
- Diocesan recommendations and appointment correspondence
- Parent and staff governor election process
- Trustee and governor information record, provided by the individual to the Governance Service and Trust
- DBS forms and appropriate safeguarding checks
- Record of Business Interest form
- Record of Ethos Undertaking (if applicable)
- Minutes of Trust Board or committee meetings (regarding attendance and training requirements only)

Governance roles data is essential for the Trust's operational use. Whilst the majority of information you provide to us is mandatory, some of it is requested on a voluntary basis. To comply with the 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 to 'opt in' or to 'opt out'.

4. How do we store your information?

Your personal information is retained in line with the Trust's Data Protection (UK GDPR) Policy and its accompanying Data Retention Schedule, which can be found here: <https://hlt.academy/our-policies/>

When an individual ceases to be a Member, Trustee or Governor, the Governance Service removes their details from their internal database, GIAS and the online governance portal (used internally to manage governance paperwork and meetings).

There is a statutory requirement to publish on school and Trust websites the name, term of office and business interests of any Members, Trustees or Governors who have stood down within the previous 12 months. In order to comply with financial regulations, Business Interest forms will be retained for six years following the cessation of the individual's role as Member, Trustee or Governor. Summary registers must be retained indefinitely.

5. Who do we share your information with and why?

We routinely share your information with:

- **City of York's Governance Service** - the Governance Service supports HSLT with all aspects of governance at all levels and locations within the Trust.
- **The Department for Education (DfE), Get Information About Schools (GIAS), Companies House and/or Education and Skills Funding Agency (ESFA)** - in order to fulfil statutory requirements.

The DfE collects personal data from schools and Local Authorities. We are required to share information about individuals in governance roles with the DfE and/or the ESFA under:

- **[Academies]** Requirements set out in the 'Academy Trust Handbook'.
- **[PRUs]** Section 538 of the Education Act 1996.

Any information we share with other parties is transferred securely and held by the other organisation in line with their data security policies. All Member, Trustee and Governor data required by the DfE 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 policy framework](#).

Our External and Internal Auditors

Members, Trustees and Governors complete an annual Business Interest form, in order to comply with statutory requirements and the requirements of the Academy Trust Handbook. Our Auditors may request to see these forms. Some of your details may be passed to our Auditors to enable them to carry out their work in overseeing governance reviews of the Trust. This data will be similar to that which is published by the DfE on GIAS. The detailed Business Interest forms are not published on our websites, but a summary of business interests and relationship declarations must be published on our websites.

Members', Trustees' and Governors' personal details are not shared with parents/carers, staff or pupils. No personal information (addresses, phone numbers etc) are disclosed outside of the Executive Team and the Governance Service. (For the purposes of clarity, the 'Executive Team' consists of the Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, Executive Support Manager, Executive Support Officer and Compliance Officer roles within the Trust)

All Trustees and Governors are issued with a Trust email account, upon the return of satisfactory safeguarding checks. All governance business must be conducted through these email accounts, to eliminate the possibility of data breaches and to ensure that the Trustees' and Governors' personal details are not released beyond the Executive Team and the Governance Service.

6. How does the government use your data?

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

- Increase the transparency of governance arrangements.
- Enable schools and the DfE to quickly and accurately identify individuals who are involved in governance and who govern in more than one context.
- Allow the 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.

You can find out more about the requirements placed on the Trust by the DfE, including the data we share with them, via this website: <https://www.gov.uk/government/news/national-database-of-governors>.

Some of this personal data is not publicly available and is encrypted within the GIAS system. Access is restricted to authorised DfE and education establishment users with a DfE Sign-in account who need to see it to fulfil their official duties. The information is for internal purposes only and is not shared beyond the DfE, unless the law permits.

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the DfE:

- If it processes your personal data.
- For a description of the data it holds about you.
- The reasons it is holding your data and any recipient it may be disclosed to.
- For a copy of your personal data and any details of its source.

To exercise these rights, you should make a subject access request. Information on how to do this can be found by following this link: [Personal Information Charter](#).

You can also contact the DfE directly using its online contact form by following this link: <https://www.gov.uk/contact-dfe>.

7. What are your rights?

You have specific rights to the processing of your data; these are the right to:

- Request access to the information the Trust or school/academy holds about you.
- Restrict the processing of your personal information, e.g. consenting to it being stored but restricting it being processed any further.
- Object to and prevent processing for the purpose of direct marketing and processing for the purpose of scientific or historical research and statistics.
- Object to decisions being taken by automated means.
- Have inaccurate or incomplete personal data rectified, blocked, erased or destroyed.
- Not be subjected to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.
- To request the deletion or removal of personal data where there is no compelling reason for the continued processing.

If you want to request access to the personal information we hold about you, please contact the Data Protection Officer via email to: dpo@hlt.academy or telephone: 01904 560053.

8. How to withdraw consent and lodge complaints

Where the Trust or school/academy processes data on the basis of consent, you have the right to withdraw your consent at any time. To withdraw your consent, you can contact the Data Protection Officer

via the above contact details to express your right to withdraw. You are not required to provide a reason for withdrawing consent.

If you are concerned or unhappy about the way we are collecting or using your information, please raise your concern or lodge a complaint with the school's Data Protection Officer in the first instance. You can also contact the ICO at: <https://ico.org.uk/concerns/>.

Please refer to the Trust's Data Protection (UK GDPR) Policy and Data Retention Schedule here: <https://hslt.academy/our-policies/>

9. Updating this privacy notice

The Trust will periodically review this privacy notice to ensure it is accurate and remains compliant with current legislation and legal requirements placed upon the Trust. The Trust will update this privacy notice if we change how we collect and process your data. The Trust will inform you when this privacy notice has changed; however, we also recommend that you revisit this privacy notice periodically (available at: <https://hslt.academy/our-policies/>).

10. How can you find out more information?

If you would like to discuss anything in this privacy notice, please contact the Trust's Data Protection Officer via email: dpo@hslt.academy or telephone: 01904 560053.

If you require further information about how the DfE processes your personal data, please contact the DfE directly via their [website](#).