Trustee and Governors - Privacy Notice

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Who we are

For the purpose of Data Protection Requirements, the Data Controller is Focus School Trust (UK) Ltd, Ram Mill Business Centre, Office 7, First Floor, Gordon Street, Chadderton, Oldham, OL9 9RH

We are registered as a Data Controller with the ICO: Ref Z3474517.

Contacting Us

If you want to request further information about this privacy notice or exercise any of your rights, please contact our Data Protection Officer via 07867423870 or info@focus-trust.co.uk

Our commitment to you

We are committed to protecting and respecting your privacy. We recognise the trust placed in us by individuals whose information we use.

This privacy notice (together with any other documents referred to in it) sets out the basis on how any personal data we collect from you, or that you provide to us, or that we obtain about you will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it. We are committed to ensuring that we do so in a manner that is both lawful and respects your privacy.

This notice applies to our Trustees and Governors.

Your Data Protection Rights

We take the protection of your personal data very seriously and respect your privacy in accordance with data protection legislation and best practice. You have rights relating to your personal information. You can find more information about your privacy rights on the Information Commissioner's Office website www.ico.org.uk.

You have the right to be informed about how and why we process your personal information. Any time you give us personal information you have the right to be informed about why we need it, who will have access to it and how we'll use it.

You can find most of the information you need in this Privacy Notice.

You have a right of access to your own information

You have a right of access to any of your personal data that we hold about you. You can contact us at any time to gain information about what data we hold about you and why we hold it.

If you make a formal request, we will respond to acknowledge we have received it. Firstly, we will require you to prove your identity. We may also ask you about any specific information you are seeking, this will help us make sure we meet your request fully and speed up the process.

If you agree, we will try to deal with your request informally, for example by providing you with the specific information you need over the telephone.

We will provide you the information that you are entitled to as soon as possible, without unreasonable delay and at the latest within one month of your identity being verified by us.

In exceptional cases we may extend the period of compliance by a further two months if the request(s) are complex or numerous. If this is the case, we will inform you within one month of the receipt of the request and explain why the extension is necessary.

There is no charge made for this right of this access. To make a request for any personal information we may hold we would ask that you contact us using the contact information above.

You have the right to ask us to correct inaccurate personal information

If you believe information we hold about you to be inaccurate or incomplete, you can ask us to correct it or complete it at any time e.g. the spelling of your name or your contact information.

You have the right to object or restrict the processing of your personal information

You also have the right to ask for our processing of your personal data to be restricted. For example, if you are contesting the accuracy of data we are using about you. In such case we will restrict our processing while we verify the accuracy of the data that we hold.

You also have the right to object to the processing of your personal information in certain circumstances.

You can ask for certain information about you to be deleted

You can also ask for certain information about you to be deleted. For example, if you are moving out of the area.

In certain cases, we will be unable to delete your information if there are statutory grounds to retain it (i.e. Department of Education, Safeguarding purposes or other legal requirements).

You have the right to data portability

You have the right to data portability where processing is automated, although we don't currently carry out any such processing. If we do in future, you can make a request and this data can be exported from our systems for you.

What information we collect about you and what we do with it

Focus-Trust is a charitable multi-school trust dedicated to working with our 15 primary schools. It is the core purpose of Focus-Trust to continually strive to be a learning organisation, where the learning of all children and adults is valued and promoted.

It is important to us that we inform you about the information we collect and why we collect it. The information we collect and the reason for collecting it are different for different groups of individuals.

We collect Trustee and Governor details so we can:

a) Establish and maintain effective governance.
b) Meet statutory duties placed upon us by the Department for Education / EFSA.
c) Facilitate safer recruitment as part of our safeguarding obligations.
d) Inform relevant authorities, organisations and other relevant persons of our appointments.
e) Maintain a Trustee / Governor database.
f) Contact Trustees / Governors regarding administrative arrangements of meetings, statutory changes in legislation etc.
g) Assess the quality of our services.
h) Plan future training requirements and opportunities.

Some of these records are produced by you, such as your Trustee / Governor application and contact form. Others are produced by us recording information you have provided to us via phone, email, or the activity you undertake with us.

We may sometimes collect additional information from third parties, for example from referees completing a reference form, or when we need to carry out a Disclosure and Barring Service (DBS) check.

We have set out below, in a table format, the ways we collect and use your personal information for certain purposes and how it might sometimes be shared with others:

Information obtained	Purpose	Where stored
Personal contact details, including name, address, telephone, email	To contact you as a Trustee / Governor about governance arrangements including where it affects your role and your start and end dates.	Trustee / Governor databases
Emergency contact details	To be able to contact family or a friend in an emergency.	As above
Communication preferences.	To be able to contact Trustees / Governors with information about the difference we are making together and how else they can get involved.	As above
Date of Birth	To ensure all Trustees / Governors meet our minimum age requirements.	As above
Trustee / Governor Application Process Application Form Personal Statement Election process	To help decide about suitability for Trustee / Governor role.	As above
Two references	To be contacted to confirm applicant's identity and suitability for an employee or Trustee / Governor role.	As above
Job history summary, training and professional qualifications	To help recruit to desired skills for a Trustee / Governor	As above
Enhanced DBS check - Information about any criminal convictions or cautions	To undertake and assess the risk around any previous criminal history.	DBS check service provider Single Central Record
Information about support needs or any reasonable adjustments necessary and if necessary an individual risk assessment	To understand what extra provision the prospective Trustee or Governor might need to undertake the role successfully.	Trustee / Governor databases
Photo	To create Governor ID card and website photo	ID card supplier/ Trust Server
Personal profiling information (gender, ethnicity, disability)	To be aggregated anonymously into statistics about our Trustee / Governor's demographics for monitoring purposes and reported to funders.	Trustee / Governor databases
The terms and conditions of your engagement.	To maintain accurate records during your term.	As above
Material Interests	To be transparent about relationships between Trustees and Governors or relationships between Trustees / Governors and Trust Staff (including spouses, partners, and close relatives)	Trustee / Governor database Website
Images – CCTV, photographs, visitor management system	For security purposes	Security systems
Key financial information including National Insurance number; your bank account details, tax code and tax status information	As a Trustee / Governor where it is necessary to process any expense claims etc.	As above

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.

On other occasions we may have to process your personal information without your knowledge or consent (for example in compliance with our legal requirements regarding Department of Education etc.) where this is required or permitted by law. You will not be informed if this occurs.

Failure to provide information

If you do not provide certain information when requested or required, we may not be able to perform the agreement we have entered into with you, or we may be prevented from complying with our legal obligations. You may also be unable to exercise your statutory rights.

Legal basis for using your personal information

Focus Trust relies on the following legal conditions that are described in the UK General Data Protection Regulation to use your personal information in the ways described in this privacy notice:

a) Article 6(1)(c) so we can comply with our legal obligations.
b) Article 6(1)(d) in order to protect your vital interests or those of another person.
c) Article 6(1)(e) where processing is necessary for the performance of a task carried out in the public interest or in the exercise of the official authority vested in us as a Multi Academy Trust
d) Article 6(1)(f) for the purposes of our legitimate interest or the legitimate interests of a third party.

We need all the types of personal information listed under "*What information we collect about you*" primarily to enable us to work together and to enable us to comply with our legal obligations. In some cases, we may also use your personal information where it is necessary to pursue our legitimate interests (or those of a third party), provided that your interests or your fundamental rights and freedoms do not override our interests.

Legitimate interest is applicable where the data processing is not requirement by law but is of clear benefit to the trust.

We believe that you have a reasonable expectation, as our Trustee / Governor that we will process your personal information in a proportionate and professional manner.

Artificial Intelligence (AI)

Focus-Trust recognise the rapid development and use of Artificial Intelligence (AI) tools within education. AI should enhance teaching and pupil learning if used transparently and ethically. For further details on how we use AI please see our AI Policy.

Special category sensitive data

Special Category Data includes information about:

a) Personal data revealing racial or ethnic origin;
b) Personal data revealing political opinions;
c) Personal data revealing religious or philosophical beliefs;
d) Personal data revealing trade union membership;
e) Genetic data;

f) Biometric data (where used for identification purposes);
g) Data concerning health;
h) Data concerning a person's sex life.

Where we are required to collect special category data about you (see below) we will use the following lawful bases of the UK GDPR which permits us to process special category data:

- Article 9(2)(h) – processing is necessary for the purposes of preventive or occupational medicine, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3.
- Article 9(2)(b) – processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law.
- Article 9(2)(a) – where you give us explicit consent to process your data.
- Article 9(2)(c) – to protect your vital interests or those of another person where you are incapable of giving your consent.
- Article 9(2)(f) – where the processing is for the purposes of establishing, exercising or defending legal claims or by courts when they are acting in their judicial capacity.
- In addition we rely on processing conditions at Schedule 1 part 1 of the Data Protection Act 2018 including where the processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on us as a data controller or you in connection with employment, social security or social protection, and for our statutory purposes, equality of opportunity or treatment, to support volunteers with a particular disability or medical condition, Counselling, for safeguarding of children and individuals at risk, and our insurance provider's conditions.

Communicating with you

Administrative communications

We will communicate with you as required to initially process your Trustee / Governor application and then, as an active Trustee / Governor, to provide you with the support and information you need to undertake your role. Where we use photographs to support our publicity you will be made aware, and you will have the opportunity to opt out if necessary. We will do this as we have a legitimate interest in promoting our schools and Trust.

You will also receive administrative communications from our team that are related to your Trustee / Governor role such as a welcome email, log ins, training, meeting information and thank you communications.

School & Trust publicity communications

We may send you information about our events and activities etc. and how you can get further involved. You will receive additional email and possibly text communications from us and information about how you can further support our work through raising awareness, campaigning or other support. We will try to tailor the information you receive to reflect what we think you will be interested in on the basis of the information we hold about you.

Information we share with third parties

We will share your personal information with third parties where required by law, for example:

- Where we carry out DBS checks
- The Department of Education to meet our legal obligations to share certain information with it
- Companies House for Trustees only
- Ofsted
- Our auditors, to ensure our compliance with our legal obligations
- The Local Authority
- Where we have another legitimate interest in doing so
- Or you have specifically agreed that we may share your personal information with others.

As a Multi Academy Trust we have a legal obligation under s.538 of the Education Act 1996, and the Academies Trust Handbook, to be transparent about our governance arrangements, up to date details of these arrangement must be published on our website.

Also in accordance with Sections 167 & 167D of the Companies Act 2006 anyone on the Trust Board of an Academy must be registered with Companies House as a Director of the Company.

How we keep your information and who has access to it

Your information is held on systems that are maintained and managed securely by Focus Trust. We ensure that there are technical controls in place to protect your personal details.

We undertake regular reviews of who has access to information that we hold to ensure that your information is only accessible by appropriately trained staff, volunteers and contractors.

On occasions we may need to disclose your details if required, to the police, regulatory bodies or legal advisors. You may not be informed when this happens.

Wherever possible we store our information about Trustees / Governors in the UK or within the European Union (EU). If data is to be stored out of the UK or the European Union, Focus Trust will ensure that there is equivalence of data security written into the terms and conditions of such agreements.

How long we store personal information

We will only use and store personal information for as long as it is required for the purposes it was collected for.

We have a data retention policy (available on request) that sets out the different periods we retain personal information in accordance with our duties under applicable data protection law and various legislative requirements. Some personal information may be retained by us in archives for historical research purposes and we do this in a manner that complies with applicable data protection law.

We continually review what personal information and records we hold and delete what is no longer required.

Complaints

Focus Trust strives to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures. We understand in line with the Data Use and Access Act we must take steps to help you if you wish to make complaint about how we use your personal information. We will supply an electronic form, acknowledge your complaint within 30 days and respond to it without undue delay.

This privacy notice was drafted with brevity and clarity in mind. It does not provide exhaustive details of all aspects of the collection and use of personal information. However, we are happy to provide any additional information or explanation needed. Any requests for this should be sent to: info@focus-trust.co.uk

If you believe that Focus Trust has not complied with your data protection rights, you can complain to the Information Commissioner's Office, their address is Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or by calling 0303 123 1113.

Changes to this notice

This privacy notice may be updated from time to time, so you may wish to check it each time you submit information to Focus Trust. The date of the most recent revisions will appear on this page. We may notify supporters of any major changes by placing a notice on the website or by contacting you directly.

Trustee / Governor acknowledgement

I have read and understood this privacy notice

Signed……

Date……