PENK VALLEY ACADEMY TRUST

Privacy Notice for Trustees / Governors

Adopted by Trustees:	
Signed:	
Date:	Summer 2026
This policy is reviewed every 3 years by the Finance Audit and Risk Committee.	
Review date:	Summer 2029

COLLABORATION CHALLENGE CURIOSITY CARE

POLICY INFORMATION

Date of last review:	Summer 2026	**Review period:**	3 Years
Date ratified by Trustees:	Summer 2026	**Trustee committee responsible:**	Finance Audit and Risk
Policy owner:	COO	**Executive team member responsible:**	COO

Reviews/revisions

Review date	Changes made	By whom
June 2023 Summer 2026	Notice created. Updates	CH LMC

Equality and GDPR

All Penk Valley Academy Trust policies should be read in conjunction with our Equal Opportunities and GDPR policies.

Statement of principle – Equality

We will take all possible steps to ensure that this policy does not discriminate, either directly or indirectly against any individual or group of individuals. When compiling, monitoring and reviewing the policy we will consider the likely impact on the promotion of all aspects of equality as described in the Equality Act 2010.

Statement of principle – GDPR

Penk Valley Academy Trust recognises the serious issues that can occur as a consequence in failing to protect an individual adult's or child's personal and sensitive data. These include emotional distress, physical safety, child protection, loss of assets, fraud and other criminal acts.

Penk Valley Academy Trust is therefore committed to the protection of all personal and sensitive data for which it holds responsibility as the Data Controller and the handling of such data in line with the data protection principles and the Data Protection Act (DPA)/GDPR.

Penk Valley Academy Trust will be referred to as **PVAT** for the remainder of the document which includes all schools who are members of PVAT, business operations and centralised services.

PRIVACY NOTICE FOR TRUSTEES / GOVERNORS

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Aim

PVAT is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you before, during and after your relationship with us as a Trustee / Governor, in accordance with the General Data Protection Regulation (GDPR). It also explains your right to raise concerns or complaints about how your personal data is handled.

We are an Academy Trust and the Data Controller for the data we process on pupils attending our schools.

We have appointed Schools DPO as our Data Protection Officer and they can be contacted via the Data Protection Lead(DPO@penkvalley.co.uk).

PVAT is a 'Data Controller'. 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.

Data protection principles

We will comply with Data Protection Law. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date
- Kept only as long as necessary for the purposes we have told you about
- Kept securely

The type of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are 'special categories' of more sensitive personal data which require a higher level of protection.

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Date of birth
- Gender
- Start date
- Skills and experience
- Information acquired as part of your application to become a governor (including copies of identity checks (including Enhanced Disclosure and Barring Service Checks, Barred Lists Checks,

and disqualification checks, information about bankruptcy, references and other information included in a CV, application form or cover letter or as part of the application process)
- Information about pecuniary or business held by you or your family members
- Information about other posts held by you
- Information about your use of our information and communications systems
- Photographs

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

- Information about your criminal records, fines and other similar judicial records

How is your personal information collected?

We collect personal information about Trustees / Governors through the application and recruitment process. We will also collect additional personal information in the course of Trustee / Governor activities throughout the term of your appointment.

How we will use information about you

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to comply with a legal obligation
- Where we need to protect your interests (or someone else's interests)
- Where it is needed in the public interest or for official purposes
- Where we have your consent

Situations in which we will use your personal information

The situations in which we will process your personal information are listed below:

- Making a decision about whether to appoint you as a Trustee / Governor
- Dealing with any processes for the election of Trustees / Governors
- Checking your suitability to be a Trustee / Governor
- Complying with our general safeguarding obligations
- Providing information on our website about our Trustees / Governors
- Providing information on any online databases to set out our governance arrangements
- Communicating with stakeholders about PVAT
- Delivering PVAT's services to our community, and to carry out any other voluntary or charitable activities for the benefit of the public as provided for in our constitution and statutory framework
- Business management, administrative and planning purposes, including accounting and auditing
- Financial information such as expenses claimed
- Responding to complaints or investigations from stakeholders or our regulators
- Sending you communications connected with your role as a Trustee / Governor
- Making decisions about your continued appointment as a Trustee / Governor
- Making arrangements for the termination of your appointment
- Education, training and development requirements

- For the purposes of carrying out governance reviews
- Dealing with legal disputes involving you or other stakeholders
- Complying with health and safety obligations
- For the purposes of keeping records about Trustee / Governor decision-making processes, including copies of minutes, reports and other documentation
- Where you sit on a committee or a panel on a PVAT matter we may process your name, opinions, comments and decisions attributed to you, for example, if you sit on a panel for the purposes of considering a complaint, exclusion or HR issue
- To prevent fraud
- To monitor your use of our information and communication systems to ensure compliance with our IT policies
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution
- To maintain and promote equality
- To receive advice from external advisors and consultants
- In appropriate circumstances to liaise with regulatory bodies, the Department for Education, the DBS and the Local Authority about your suitability to be a Trustee / Governor or in connection with other regulatory matters

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

<u>If you fail to provide personal information</u>

If you fail to provide certain information when requested, we may be prevented from complying with our legal obligations (such as to discharge our safeguarding obligations) or we may be unable to discharge our obligations which may be in the public interest or for official purposes.

<u>Change of purpose</u>

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.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

<u>How we use particularly sensitive personal information</u>

'Special categories' of particularly sensitive personal information require us to ensure higher levels of data protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- In limited circumstances, with your explicit written consent
- Where we need to carry out our legal obligations and in line with our Data Protection Policy
- Where it is needed in the public interest and in line with our Data Protection Policy

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Our obligations

We will use your particularly sensitive personal information (special category information) in the following ways:

- We will use information about your physical or mental health, or disability status, to ensure your health and safety and to provide appropriate adjustments to comply with the Equality Act 2010.

Do we need your consent?

We do not need your consent if we use your particularly sensitive information in accordance with our written policy where processing is necessary:

- For the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- For reasons of substantial public interest, on the basis of domestic law which shall be proportionate to the aim pursued, where we respect the essence of the right to data protection and where we provide for suitable and specific measures to safeguard your fundamental rights.

In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

Information about criminal convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We envisage that we will hold information about criminal convictions, for example, if information about criminal convictions comes to light as a result of our appointment and Disclosure and Barring Service checks, or if information about criminal convictions comes to light during your time as a Trustee / Governor.

Data sharing

We may have to share your data with third parties, including third-party service providers and other organisations.

In particular, we may share your data with organisations including, but not limited to, the following:

- The Local Authority
- The Department for Education
- The Disclosure and Barring Service
- Our external HR provider, for example, if you are involved in considering a disciplinary matter

- The Police or other law enforcement agencies
- Our legal advisors / other external consultants

We require third parties to respect the security of your data and to treat it in accordance with the law. Some of the organisations referred to above are joint data controllers. This means we are all responsible to you for how we process your data.

We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

Why might we share your personal information with third parties?

We will share your personal information with third parties where required by law, where it is needed in the public interest or for official purposes or where we have your consent.

How secure is your information with third-party service providers?

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible PVAT conversion. We may also need to share your personal information with a regulator or to otherwise comply with the law.

From time to time, we may disclose your personal data in response to a request for information pursuant to the Freedom of Information Act 2000 or following a data subject access request. We may approach you for your consent but, in any event, we will only disclose your personal data if we are satisfied that it is reasonable to do so in all the circumstances. This means that we may refuse to disclose some or all of your personal data following receipt of such a request.

Data security

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties who are processing personal data on our behalf will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

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. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the Headteacher.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data retention

How long will we use your information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, insurance or reporting requirements. Details of retention periods for different aspects of your personal information are available in our Data Retention Policy which is available from PVAT. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a Trustee / Governor of PVAT we will retain and securely destroy your personal information in accordance with our data retention policy.

Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your appointment as a Trustee / Governor.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (data subject access request). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Data Protection Lead(DPO@penkvalley.co.uk).

We aim to respond to all Subject Access Requests without undue delay and within the statutory timeframe of one calendar month. During periods where the school is closed, response times may be impacted; however, we will ensure that all requests are processed in accordance with data protection legislation.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

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). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

If you are dissatisfied with how your request has been handled, you have the right to make a complaint to PVAT or to the Information Commissioner's Office (ICO).

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 the Data Protection Lead (DPO@penkvalley.co.uk). 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.

Data protection officer

We have appointed an external Data Protection Officer (DPO) who oversees our compliance with data protection legislation and provides advice and support to the trust.

Day-to-day data protection matters, including initial queries and concerns, are managed by our Data Protection Lead (DPL). If you have any questions about this privacy notice or how we handle your personal information, you should contact the Data Protection Lead (DPL) in the first instance at: DPO@penkvalley.co.uk

The DPO will provide oversight of any matters as required.

Complaints

If you have concerns about how we handle your personal data, you have the right to make a complaint to PVAT.

To help us investigate your concern quickly and efficiently, complaints should be submitted using our online form:
LINK TO ONLINE FORM

However, complaints can be made in any format, including by email, post, telephone or in person, and will be accepted regardless of how they are submitted.

We will acknowledge your complaint within 30 calendar days and investigate it without undue delay in accordance with Section 21 (Data Protection Complaints) of our Data Protection Policy..

You also have the right to make a complaint to the Information Commissioner's Office (ICO) at any time:

Website: www.ico.org.uk
Telephone: 0303 123 1113
Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

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.

If you have any questions about this privacy notice, please contact the Data Protection Lead (DPO@penkvalley.co.uk).