

NCLT MEMBERS, DIRECTORS/TRUSTEES & ADVISORY GROUP PRIVACY NOTICE

New Collaborative Learning Trust ensures personal data ('relating to an identifiable a living individual') is only processed where there is a lawful basis to do so, observing the seven processing principles set out under the Data Protection Act and UK General Data Protection Regulation.

Who does this notice apply to?

This privacy notice covers personal information relating to anyone involved with New Collaborative Learning Trust in an official governance capacity. This includes members of the Trust's Members, Trust Board of Directors/Trustees, and members of the Advisory Groups for each college and school.

Data controller and collection

The organisation responsible for looking after your personal data (Data Controller) is the New Collaborative Learning Trust. Data is held centrally at Trust Headquarters.

Why do we collect and use the personal information of individuals in governance positions?

We collect and use personal information to administer the Trust's governance arrangements and to meet our legal, regulatory and contractual obligations. Where required, governance information is provided to the Department for Education (DfE), including through Get Information about Schools (GIAS), in accordance with the Academy Trust Handbook and the Trust's funding agreement.

We also collect information about the skills, knowledge and experience of individuals in governance positions to support effective governance, board and committee composition, succession planning and the identification of development and training needs. This includes undertaking skills audits in accordance with DfE guidance set out in the Academy Trust Governance Guide.

We require a skills audit to ensure we have a high standard of effective governance and accountability, in line with DfE recommendations as set out in their publication Academy trusts: governance guide.

Legal basis for using this information (UK General Data Protection Regulation – 'UK GDPR')

Processing of personal data is considered necessary for the performance of a task carried out in the public interest or in the exercise of official authority.

Depending on the purpose, our processing of your information will be due to one of the following:

- For the performance of a contract [Article 6(1)(b)] by agreeing to perform the role
- To meet a legal requirement [Article 6(1)(c)] for instance, provision of personal data to the DfE
- To protect the vital interests of you or someone else [Article 6(1)(d)] for instances to the emergency services
- Delivering a public task [Article 6(1)(e)], for instance recording details of contribution to meetings

Categories of Information

We collect the following information;

- name
- date of birth
- address (and prior addresses)
- email
- contact details
- pen portrait
- proof of identity
- Nationality and "Right to Work" details
- employment information (past and current)
- training records
- any health conditions you have that we need to be aware of
- information about disability and access requirements
- register of interests information

- disclosure and barring service in respect of criminal offence data
- skills audit
- photographs and CCTV images captured in school
- attendance at meetings and the contributions made

We collect the information for the following reasons:-

- to assess skill and suitability to maintain effective governance
- meet statutory obligations for publishing and sharing details
- facilitate safe recruitment, as part of our safeguarding obligations
- ensure appropriate access arrangements can be provided for volunteers
- undertake equalities monitoring
- to allow declarations of any conflicts of interest, and
- to obtain contact information required to fulfil the role.

We ask all Members/Director/Trustees and Governance Panel members (“Governance Individuals”) to submit a ‘pen portrait’ of themselves, with a photograph, to feature on our website and other publicly accessed material. We use personal email addresses to contact Governance Individuals with important information regarding their role. We use postal addresses for any contact required in a letter format. We ask Governance Individuals to complete a Skills Audit.

How is this information collected?

Information is collected through the Application Form, images provided by the Governance Individual or taken using Trust photographic equipment, Identity documents, third-parties (e.g. Disclosure and Barring Service, DfE), meetings, *Skills Audit*, *Register of Interest* form. Minutes of meeting will record your attendance and contributions.

Storing Governance Individuals’ Data

We store all Governance Individuals’ information electronically, paper copies of information are processed and destroyed confidentially. We retain information for the following lengths of time, in line with sector guidelines:

- Personal Details (Name, DOB, etc.) Relationship + 6 Years
- Contact details (Address, email, telephone number) Relationship + 6 Years
- Employment information (past and current) Relationship + 6 Years
- Register of interests information Relationship + 10 Years
- Skills Audit Information Relationship + 6 Years

(* data may be held for up to 25 years for Child Protection reasons as set out in the Trust’s ROPA records)

Automated Decision Making

We do not use automated decision making which would have legal or a similarly significant effect on an individual.

Who do we share Governance Individual information with?

Under the conditions of our funding agreement, we are required to publish information for each individual on our website. This information must include any relevant material business or pecuniary interests that individuals may have, including any governance roles in other educational institutions. It must also include any material interests’ individuals may have arising from close family relationships between those involved in governance, or between them and senior employees. Governance Individuals’ information is required to be published in the Trust’s Annual Report and Financial Statements.

As part of our funding agreement, we must also provide information to *Get Information About Schools* (GIAS). The Department for Education becomes the data controller, and holds this information on their Edubase national register of Governors. Not all of the information collected via GIAS is published. All information is processed in line with data protection legislation. We do not pass information on to third parties for purposes outside of our obligations as set out in our funding agreement.

We also share information with the following:-

- The relevant Local Authority
- Other Members, Trustees or members of the Advisory Groups
- Disclosure and Barring Service
- Our Bankers (Trustee)
- Companies House (Trustee)
- Our staff
- Police forces and Courts

Otherwise, before sharing information with a third party, we will either obtain your consent or establish that the sharing is necessary (which includes ensuring that the data shared is kept to a minimum), fair and within the law. NCLT does not transfer personal data to countries outside the UK, European Economic Area or to other territories under circumstances not recognised by the Information Commissioner's Office (ICO). We will not pass your information to third parties for direct marketing purposes.

Your rights to your personal data

You have rights relating to the personal data that we collect and use. The rights you have depend on the legal basis of us using the information. These are summaries below.

Legal Basis	Right under the Law						
	Informed	Access	Rectification	Erasure	Restriction	Portability	Objection
Consent Art.6(1)(a)	✓	✓	✓	✓	✓	✓	Withdraw consent
Contract Art. 6(1)b	✓	✓	✓	✓	✓	✓	✓
Legal Obligation Art.6(1)(c)	✓	✓	✓	X	✓	X	X
Vital Interest Art.6(1)(d)	✓	✓	✓	✓	✓	X	X
Public Interest Art.6(1)(e)	✓	✓	✓	X	✓	X	✓
Recognised Legitimate Interest Art.6(1)(ea)	✓	✓	✓	X	✓	X	X
Legitimate Interest Art.6(1)(f)	✓	✓	✓	✓	✓	X	✓
The availability of a right may depend on the circumstances of the request and any applicable exemptions under UK GDPR and the Data Protection Act 2018. In some cases, we may be able to refuse the request, continue processing, or rely on a statutory exemption.							

Requesting access to your personal data

Under data protection legislation individuals have the right to request access to information about them that we hold. To make a request for your personal information, please contact the Trust Data Protection Team by email:- data.protection@nclt.ac.uk.

Contact

Here is our Data Privacy page - <https://nclt.ac.uk/data-protection-and-freedom-of-information/>

If you have an enquiry or complaint about the way we are collecting or using your personal data, you should raise it with us in the first instance. You can also raise issues directly to the Information Commissioner's Office at <https://ico.org.uk/make-a-complaint/data-protection-complaints/>

Data Protection Officer

If you would like to raise a complaint or discuss the handling of your data by NCLT, please contact the Trust Data Protection Team. email:- data.protection@nclt.ac.uk or by calling 01977 802802.