Privacy Notice for Governance (including Members, Trustees and Local Governors)

Introduction

Under data protection law, individuals have a right to be informed about how Transform Trust and our schools use any personal data that we hold about them. This privacy notice explains how we collect, store and use personal data about individuals who are Members, Trustees or Local Governors. We will only collect and use your personal data in ways that are compliant with data protection legislation.

The categories of governance information that we process include:

- Personal identifiers, contacts and characteristics (such as name, date of birth, contact details and postcode).
- Governance details (such as role, start and end dates and governor ID).
- Declarations of business and pecuniary interests.
- Characteristics (such as nationality, ethnicity, language, religious beliefs and sexual orientation).
- Details of other professional roles.
- Details of any relationships with staff (e.g husband, daughter).
- Eligibility checks in order to undertake a governance role.
- Training appropriate to the governance role.
- The range of work -based skills and experience.
- Attendance monitoring (such as meetings, school visits).
- Photographs or video images of you, including CCTV footage.
- Safeguarding information (such as DBS and Section 128 checks).
- Bank account details for the payment of expenses.
- Companies House Personal Code (for Trustees).
- Audio recordings, transcripts and AI-generated meeting notes used to support accurate minute taking, including voice data captured during governance meetings and used to identify speakers or individuals where necessary for accurate records.

Collecting this information

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide. 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.

Why we collect and use governance information

The personal data collected is essential, in order for the school and Trust to fulfil their official functions and meet legal requirements.

We collect and use governance information, for the following purposes:

a) To meet the statutory duties placed upon us.
b) To meet safeguarding and safer recruitment duties place upon us.
c) To ensure that governors are eligible to undertake the role.
d) To identify training and development needs.
e) To ensure that any declarations are recorded and acted upon where appropriate (such as withdrawing from a discussion/meeting where there is a conflict of interest).
f) To monitor and inform our policies on equality and diversity.
g) To produce accurate minutes, action records and governance records using an AI voice-recording and transcription tool where this is necessary, proportionate and transparent, including using voice data to identify speakers or individuals for the purpose of accurate governance records.

Under the UK General Data Protection Regulation (UK GDPR), the legal bases we rely on for processing governance information are usually Article 6(1)(c) legal obligation and Article 6(1)(e) public task. Where processing is not covered by those bases, we may rely on Article 6(1)(f) legitimate interests, but only where this is necessary, proportionate and within the reasonable expectations of individuals.

All Academy Trusts, under the Academy Trust Handbook have a legal duty to provide the governance information as detailed above. In addition, concerning any special category data under Section 2.4 of the Academy Trust Governance Guide.

How we collect governance information

We collect personal information via a range of paper or electronic forms at the start of each academic year, or for new Governors at the point of joining. These forms include:

- Eligibility.
- Any business or pecuniary interests.
- Details of any other professional roles.
- Details of any relationships to other staff.
- Skills and experience.
- Photo (for Chairs of Governors).

For Members and Trustees in addition to the above:

- CV.
- Two references.
- Photo.

Governance data is essential for the school's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it may be requested on a voluntary basis.

In order to comply with data protection legislation, 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 in this.

Virtual Meetings and Governor Monitoring Visits

Governance meetings and monitoring visits may take place in person, virtually or through hybrid arrangements. Meetings are managed by Governance Professionals using Trust or school-approved platforms and GovernorHub. The Trust may use an approved AI voice-recording and transcription tool on an ongoing basis to support accurate minute taking, action tracking and governance administration. Participants will be informed before recording starts, and recording will not be covert. The tool will only be used for governance purposes, and any recording, transcript or AI-generated output will be reviewed by an authorised person before being used as the formal record.

Where AI recording or transcription is used, the Trust will ensure that a Data Protection Impact Assessment is completed where required; the activity is recorded in the Trust's records of processing; appropriate contractual arrangements are in place with any third-party provider; access is restricted to authorised users; data is stored securely; and recordings are retained only for as long as necessary to produce and approve the minutes, unless a longer retention period is required for legal, audit or safeguarding reasons. The Trust will not permit meeting recordings or transcripts to be used by a provider to train AI models unless this has been separately assessed, documented and communicated.

Special category data, biometric data and voice data

Audio recordings and transcripts may include personal data and may incidentally capture special category data if this is discussed during a meeting, such as information about health, disability, ethnicity, religious belief, trade union membership or safeguarding matters. Where this happens, the Trust will apply the additional protections required under UK GDPR and the Data Protection Act 2018, including minimisation, restricted access, secure storage and appropriate retention controls.

Voice data may be used to identify speakers or individuals where this is necessary to produce accurate minutes, action records or governance records. Voice data will not be used for biometric recognition or to uniquely identify individuals beyond this governance purpose unless this has been specifically assessed, is necessary and proportionate, and Article 9 special category conditions are identified. Where explicit consent is required for biometric recognition, the Trust will provide clear information, offer reasonable alternatives where appropriate, and allow consent to be withdrawn. Biometric data will only be used for the purposes for which it was obtained, will not be unlawfully disclosed to third parties, and will be deleted when it is no longer required or where consent is withdrawn, subject to any overriding legal requirement.

Transform Trust Training Sessions

All our bespoke training is recorded and uploaded onto GovernorHub. Training recordings are stored usually until the next updated training. Previous recordings are permanently deleted.

Storing governance information

We hold data securely for the duration of your Governance role and for one year after your term of office has ended. All the data is held on GovernorHub and on Transform Trust's system network - both paper and electronic files are stored in accordance with our retention procedures.

Recordings and transcripts created to support minute taking will normally be retained only until the minutes have been produced, quality checked and approved, after which they will be securely deleted unless they are required for a legal, audit, complaint, safeguarding or governance purpose. Any biometric data processed with consent will be retained only for as long as consent remains in place or for as long as it is required for the purpose for which it was collected.

Who we share governance information with

We routinely share this information with:

- the Department for Education (DfE)
- our internal and external auditors (at the point of audits)
- statutory information is published on the Trust website and also local school websites
- approved IT application providers, including secure AI transcription or minute-taking providers, where they process data on the Trust's behalf under appropriate data protection terms.

Why we share governance information

We do not share information about individuals in governance roles with anyone without consent unless the law and our policies allow us to do so.

Department for Education

We are required to share information about individuals in governance roles with the DfE under the requirements set out in the Academy Trust Handbook.

All data is entered manually on the Get Information About Systems (GIAS) system and held by DfE under a combination of software and hardware controls which meet the current government security policy framework.

For more information, please see 'How Government uses your data' section.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about

you that we hold. To make a request for your personal information, contact our Data Protection Officer, email: dataprotection@transformtrust.co.uk.

You also have the right to:

- Be informed about the collection and use of your personal data – this is called 'right to be informed'.
- Ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request or right of access request.
- Ask us to change any information you think is not accurate or complete – this is called 'right to rectification'.
- Ask us to delete your personal information – this is called 'right to erasure'
- Ask us to stop using your information – this is called 'right to restriction of processing'.
- In certain circumstances, the 'right to object to processing' of your information.
- In relation to automated decision making and profiling.
- Withdraw consent at any time (where relevant).
- Complain to the Information Commissioner if you feel we have not used your information in the right way.

There are legitimate reasons why your information rights request may be refused. For example, some rights will not apply:

- Right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- Right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- Right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent.

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at https://ico.org.uk/concerns/

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting Claire McKendrick, our Data Protection Officer.

Contact

If you would like to discuss anything in this privacy notice, please email: dataprotection@transformtrust.co.uk.

How government uses your data

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

- Increase the transparency of governance arrangements.
- Enable schools, academy trusts and the DfE to identify more quickly and accurately 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.

Data collection requirements

To find out more about the requirements placed on us by the DfE including the data that we share with them, go to: https://www.gov.uk/government/news/national-database-of-governors

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

How to find out what personal information the DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the DfE:

- If they are processing your personal data.
- For a description of the data they hold about you.
- The reasons they're 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 DfE, you should make a subject access request (SAR). Further information on how to do this can be found within the DfE personal information charter that is published at the address below: https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter or https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights

To contact the DfE: https://www.gov.uk/contact-dfe