



ST. MARY'S  
ACADEMY TRUST

# **St. Mary's Academy Trust**

## **Privacy Notice for Volunteers**

**Last Updated:** January 2021

## GDPR Compliant Volunteer Privacy Notice

### 1. Scope

- 1.1 Under data protection law, individuals have a right to be informed about how the Trust uses any personal data that we hold about them. We comply with this right by providing privacy notices to individuals where we are processing their personal data. This privacy notice explains how we collect and use personal data about volunteers, in line with the requirements of UK GDPR (United Kingdom General Data Protection Regulation).
- 1.2 This notice applies to current and former volunteers.

### 2. Responsibilities

- 2.1 The Trust's Data Protection Officer is responsible for ensuring that this notice is made available to data subjects prior to St Mary's Academy Trust and its schools collecting and processing their personal data.
- 2.2 St Mary's Academy Trust and its schools who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject's attention and where necessary their consent to the processing of their data is secured.
- 2.3 The personal data collected is essential, in order for the Trust and its schools to fulfil its official functions and meet legal requirements.

### 3. Key Contact

- 3.1 **Data Protection Officer:** Jo Hudson
- 3.2 **Email:** J.Hudson@smat.org.uk
- 3.3 **Telephone:** 01226 282721

### 4. Types of Data We Process

- 4.1 We process data relating to those volunteering at a school within our Trust. Personal data that we may collect, use, store and share (where appropriate) about you includes, but is not restricted to:
  - Your personal details (your name, address, date of birth, email address, and phone numbers)
  - Emergency contact details
  - References
  - Information about business and pecuniary interests
  - CCTV footage

4.2 We may also collect, store and use information about you that falls into “special categories” of more sensitive personal data. This may include information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions
- Disability and access requirements

## **5. Why We Use this Data**

5.1 The law on data protection allows us to process your data for certain reasons only:

- In order to perform the agreement that we are party to;
- In order to carry out legally required duties;
- Where something is done in the public interest;
- In order for us to carry out our legitimate interests;
- To protect your interests.

5.2 All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the reasons set out above to process your data. For example, we need to collect your personal data in order to:

- Carry out the agreement that we have entered into with you.

5.3 We also need to collect your data to ensure we are complying with legal requirements such as:

- Safeguarding;
- Making reasonable adjustments for disabled volunteers.

5.4 We also collect data so that we can carry out activities which are required of us as Trust. We have set examples of these below:

- Assessing training needs;
- Business planning;
- Dealing with legal claims made against us;
- Preventing fraud;
- Ensuring our administrative and IT systems are secure and robust against unauthorised access;
- To meet our safeguarding duties.

5.5 Most commonly, we will process special categories of data when the following applies:

- You have given explicit consent to the processing;
- We must process the data in order to carry out our legal obligations;
- We must process data for reasons of substantial public interest;
- You have already made the data public.

5.6 We will use your special category data:

- For the purposes of equal opportunities monitoring;
- To determine reasonable adjustments.

5.7 We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise specific rights under employment law. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

## **6. Transferring Data Internationally**

6.1 A small number of data processors used by the Trust and its schools are based outside the UK and so their processing of your personal data will involve a transfer of data outside the UK. Some UK based processors may also use sub-processors (such as cloud service providers) which are located outside of the UK.

6.2 Whenever we transfer your personal data out of the UK, the Trust will ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- A) We will transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission or Secretary of State.
- B) Where we use certain service providers who are outside of the adequacy regime, we will use standard data protection clauses approved by the Secretary of State which give personal data the same protection it has in UK.

## **7. Criminal Conviction Data**

We will only collect criminal conviction data where it is appropriate given the nature of your role and where the law permits us. This data will usually be collected at the recruitment stage, however, may also be collected during your association with the school. We use criminal conviction data in the following way:

- We process this data to determine suitability for the post and because of our legal obligation in regard to safeguarding

## **8. Sharing your Data**

8.1 Your data will be shared with colleagues within the school where it is necessary for them to undertake their duties, for example, we also may share your data with the Headteacher, Governors, and Human Resources.

8.2 We share your data with third parties in order to obtain references as part of the recruitment process. We may also share your data with third parties for other reasons to comply with a legal obligation upon us.

8.3 We do not share your data with bodies outside of the European Economic Area.

## **9. If You Do Not Provide your Data to Us**

9.1 One of the reasons for processing your data is to allow us to carry out our duties in line with our Volunteer Agreement with you. If you do not provide us with the data needed to do this, we may be prevented from confirming, or continuing with your association with the Trust as it may prevent us from meeting our legal obligations e.g. where appropriate, confirming your legal status for carrying out your work via a criminal records check.

## **10. Collecting your Data**

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

10.2 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.

## **11. How We Store your Data**

11.1 Personal data is stored in accordance with the General Data Protection Regulation (GDPR) 2018. We maintain an electronic file to store personal information about volunteers. The information contained in this file is kept secure and is only used for purposes directly relevant to your work within the school.

11.2 When your relationship with the Trust ends, we will retain and dispose of your personal information in accordance with the Trust's retention schedule.

11.3 The retention schedule is available on the Trust's website.

## 12. Your Rights Regarding Personal Data

12.1 You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

12.2 Your rights as a data subject:

- Individuals have a right to make a subject access request to gain access to personal information that the Trust holds about them
- The right to be informed: Individuals have the right to be informed about the collection and use of their personal data
- The right of access: Individuals have the right to access their personal data
- The right to rectification: Individuals have the right to have inaccurate personal data rectified, or completed if it is incomplete
- The right to erasure: Individuals have the right to have personal data erased (also known as the right to be forgotten)
- The right to restrict processing: Individuals have the right to request the restriction or suppression of their personal data in certain circumstances
- The right to data portability: This right allows individuals to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without affecting its usability
- The right to object: individuals have the right to object to the processing of their personal data in certain circumstances and an absolute right to stop their data being used for direct marketing
- Rights in relation to automated decision making and profiling: Automated individual decision making (making a decision solely by automated means without any human involvement) and profiling (automated processing of personal data to evaluate certain things about an individual) are restricted

12.3 All of the above requests will be forwarded on should there be a third party involved in the processing of your data.

12.4 If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long it will be kept for
- Explain where we got it from, if not you or your child
- Tell you who it has been, or will be, shared with
- Give you a copy of the information in an intelligible form
- Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances

12.5 We have a separate Subject Access Request policy which provides more detailed information of how to make a request, please contact 01226 282721 to request a copy of this policy.

12.6 If you would like to make a request please contact our Data Protection Officer – Jo Hudson on 01226 282721 who will oversee the collation of this information by the school.

### **13. Other Rights**

13.1 Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine rather than by a person)
- Have inaccurate personal data corrected, deleted or destroyed and in certain circumstances restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations
- In the limited circumstances where you 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. 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

13.2 To exercise any of these rights, please contact our Data Protection Officer, Jo Hudson on 01226 282721

### **14. Complaints**

14.1 We take any complaints about our collection and use of personal information very seriously.

14.2 If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

14.3 To make a complaint, please contact our Data Protection Officer.

14.4 Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF