



<b>POLICY</b>	<b>GDPR Notice for Third Parties</b>
<b>STATUS/DATE OF THIS VERSION</b>	<b>December 2023</b>
<b>APPROVED BY</b>	<b>Board of Trustees</b>
<b>RATIFIED BY</b>	<b>Board of Trustees – December 2023</b>
<b>REVIEW</b>	<b>2024</b>

This policy is operated by all the schools in Unity Education Trust (as listed below). There may be sections that are specific to one school and these will be added by the school either as an annex or in place of yellow highlighted sections below.

Any queries about the policy should be directed, in the first instance, to the Headteacher/Head of School:

- Beeston Primary
- Garvestone Primary
- Grove House Infant
- Kings Park Infant
- Northgate High School and Dereham Sixth Form College
- The Pinetree School
- Churchill Park
- Greyfriars Primary
- Highgate Infant School
- Kings Oak Infant School
- Wimbotsham and Stow Primary
- Magdalen Primary
- St Germans Primary
- Great Dunham Primary
- UET Compass Belton Academy
- UET Pathfinder Douglas Bader Academy

This notice applies to parties contracted to work with or at Unity Education Trust and its member schools.

## **Purpose of this document**

Unity Education Trust (UET) is the data controller, and they control any personal data that is provided. This means they determine the purposes for, and the manner, in which any personal data relating to third parties is processed.

Where necessary, third parties may be responsible for processing any personal information you provide. Where this is required, the Trust places data protection requirements on third-party processors to ensure data is processed in line with your privacy rights – the Trust is bound to the same requirements as third parties to ensure the security of personal data.

## **Why do we need your information?**

UET has the legal right and a legitimate interest to collect and process personal data relating to those contracted to work at the Trust. The Trust processes personal data in order to meet the statutory safeguarding requirements set out in UK employment and childcare law, including those in relation to the following:

- Safeguarding Vulnerable Groups Act 2006
- The Childcare (Disqualification) Regulations 2018
- Keeping Children Safe in Education 2019

Third parties' personal data is also processed to assist in the running of the Trust and to enable individuals and organisations to be paid.

If third parties fail to provide their personal data, there may be significant consequences.

This includes the following:

- Failure to provide the Trust with ample proof of a right to work in the UK will prevent employment and failure to provide accurate tax codes and/or national insurance numbers could lead to issues of delayed payments
- Third party companies or individuals found to be working illegally could face prosecution by law enforcement officers.

## **Categories of data subject, the data we collect and hold and why we use this data**

Whilst the majority of personal information you provide to UET is mandatory, some of it may be requested on a voluntary basis. In order to comply with UK-GDPR, 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.

The categories of other information that UET collect, hold and share include:

### **Parents' and carers information**

Parent or carers information is collected so that:

- The Trust can communicate with you about your child in relation to things such as education and attainment, health and well-being, attendance and behaviour and emergencies (task in a public interest or legal obligation)
- Send you important information about the school (task in a public interest)
- Provide you with access to tools and services we use in schools such as parent payment systems, communication applications (task in a public interest or to fulfil a contract)

Data collected includes:

- Name
- Address
- Contact information
- Relationship to the child
- Involvement with volunteer groups or parents association
- Driving licence, passport or other official documentation for identity verification

Where you have given the Trust consent to do so we may send you marketing information via text or email promoting school events, campaigns or services that may be of interest to you. You can withdraw consent or opt-out of receiving these emails and/or texts at any time by clicking on the 'unsubscribe' link at the bottom of any such communication, or by contacting us using the information on the front page of this policy.

### **Visitor and Contractor information**

Visitor and contractor information is collected so that:

- The Trust have a record of who is and has been in the building, for health, safety and operational purposes (legal obligation)
- The Trust have a record of official visits, such as inspections or maintenance (task in a public interest)
- Where needed, Disclosure and Barring Service checks may take place (task in a public interest or legal obligation)

Data collected includes:

- Name
- Associated business
- Associated business contact information
- Named point of contact

- Purpose of visit
- Car registration
- Driving licence, passport or other official documentation for identity verification
- Disclosure and Barring Service check results
- Remuneration details

### **Volunteers' information**

Visitor information is collected so that:

- The Trust have a record of who is and has been in the building, for health, safety and operational purposes (task in a public interest)
- Disclosure and Barring Service checks may be carried out (task in a public interest or legal obligation)
- The Trust have a record of visits (task in a public interest)

Data collected includes:

- Name
- Address
- Contact information
- Driving licence, passport or other official documentation for identity verification
- Disclosure and Barring Service check results

The collection of personal information from third parties will benefit the Trust by:

- Improving the management of third-party data.
- Enabling the development of a comprehensive picture of the third parties used and how they are deployed.
- Informing the development of contracts and retention policies.
- Allowing better internal financial modelling and planning.

### **The lawful basis on which we process this information**

UET collect and process your information:

- Under Article 6 of the General Data Protection Regulation (GDPR), in accordance with the **Public Task** basis to fulfil our statutory function as a Trust, to perform our official function (public task); such as equal opportunities monitoring, for child protection purposes or where otherwise authorised by law, such as Departmental Censuses as required in the Education Act 1996;

- Under Article 9 of the General Data Protection Regulation (GDPR), where data is Classified as Special Category data, e.g. health etc Protection Regulation (GDPR) to carry out tasks in the public interest;
- In accordance with the **Vital Interests basis**- the Trust will use personal data in a life or death situation;
- Where it is carried out as a task in the public interest, such as equal opportunities monitoring, for child protection purposes or where otherwise authorised by law, such as Departmental Censuses as required in the Education Act 1996.
- In accordance with the **Contract basis** - if the Trust needs to process the data to fulfil a contract with you or to assist you in entering into a contract with us;
- In accordance with the **Consent basis**- the Trust will obtain consent from you to use your personal data;
- In accordance with the **Legitimate Interest basis**- where there is minimal privacy impact, and the Trust has a compelling reason;
- To facilitate your attendance in schools, background checks from the Disclosure and Barring Service may be done which may involve the collection of criminal convictions; and
- In accordance with the **Legal Obligation basis**- the Trust needs to process the data to meet our responsibilities under certain laws.

UET's basis for using **Special Category Data under Article 9** of the GDPR will only be when we have both a lawful basis as set out above and under the following legal grounds, in accordance with the Data Protection Act (2018), Schedule 1:

- Where the Trust has obtained your explicit consent to use your data in a specific way;
- When the Trust needs to perform or exercise an obligation or right in relation to employment, social security or social protection law;
- When the Trust needs to protect an individual's vital interest(i.e protect your life or someone else's life) in situations where you are physically or legally incapable of giving your consent;
- Where the data concerned has already been made manifestly public by you;
- When the Trust needs to process it for the establishment, exercise or defence of legal claims;
- Where the Trust needs to process it for reasons of substantial interest as defined in legislation;
- When the Trust needs to process it for health or social care purposes and the processing is done by/or under the direction of a health or social care work professional or by any other person obliged to do so, confidentiality under law;
- Where the Trust needs to process it for public health reasons and the processing is done by/or under direction of a health or social care work

professional or by any other person obliged to do so confidentiality under law; and

- Where the Trust needs to process it for archiving purposes, scientific or historical researching purposes or for statistical purposes and processing is in the public interest.

Where you have provided the Trust with consent to process your data, you may withdraw this consent at any time. The Trust will make this clear when requesting your consent and will explain how to withdraw your consent if you wish to do so.

### **Collecting this information**

Whenever the Trust seeks to collect information from you, we will make it clear whether you must provide this information (and if so, the possible consequences of not complying) or whether you have a choice:

- **Parents:** whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this;
- **Visitors, contractors and volunteers:** As a visitor, the information that you provide to us is voluntary. However, we may restrict access to the school if the information is not provided; and

### **Will your personal data be sought from third parties?**

Third parties' personal data is only sought from the data subject. No third parties will be contacted to obtain third parties' personal data without the data subject's consent unless the law allows us to do so.

### **Storing this information**

The Trust holds your data securely for a set amount of time as documented in our Retention Schedule, which can be requested by contacting the Trust office.

### **Who we share this information with?**

UET do not share information about individuals with anyone without consent unless the law and our policies allow us to do so:

- **Parents:** the Trust may share your information with members of staff, other agencies and, where you have agreed, to ensure the functioning of a contract, with third-party processors who provide services to the school;
- **Visitors, contractors and volunteers:** your information will not be shared unless requested by an external agency, in the course of a health and safety incident or in the investigation of a crime; and

## How long is your data retained for?

Third party personal data is retained in line with the Trust's Records Management Policy.

Personal information may be retained for the different periods of time depending on the nature of the information. Data will only be retained for as long as is necessary to fulfil the purposes for which it was processed and will not be retained indefinitely if there is no such need for it to be.

If you require further information regarding retention of data, and the periods for which your personal data is held for, please download our Records Management Policy from the Trust's website.

## The Department for Education

**The Department for Education (DfE)** collects personal data from educational providers and local authorities. UET is required to share information about individuals in governance roles with the Department for Education (DfE), under:

### Examples for governance information:

- **For academy trusts, academies and free schools:**
  - UET are required to share information about individuals in governance roles with the Department for Education (DfE) under the requirements set out in the [Academies Financial Handbook academy trust handbook](#)
  - All data is entered manually on the GIAS service and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current [government security policy framework](#).

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

## Your rights

As the data subject, you have specific rights to the processing of your data.

You have a legal right to:

- Request access to the personal data that the Trust holds.
- Request that your personal data is amended.
- Request that your personal data is erased.
- Request that the processing of your data is restricted.

- Request to obtain and reuse your personal data for your own purposes across different services
- Object to your consent being obtained
- Request that your personal data is collected using automated processing

If you have any concerns about the way UET is collecting or using your personal data, we ask that you raise your concern with us in the first instance using the contact information on the first page of this document.

Third parties also have the right to lodge a complaint with the ICO in relation to how the Trust processes their personal data. If a third party wishes to make a complaint to the ICO, they can do so on the ICO's website or they can call their helpline on 0303 123 1113.

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the "How Government uses your data" section of this notice.

### **Withdrawal of consent and the right to lodge a complaint**

Where the processing of your data is based on your explicit consent, you have the right to withdraw this at any time. This will not affect any personal data that has been processed prior to withdrawing consent. You can withdraw consent by writing or emailing the Trust at its main office.

### **How can you find out more information?**

If you require further information about how we store and use your personal data, please visit our website, [www.unityeducationtrust.uk](http://www.unityeducationtrust.uk) or download our GDPR Data Protection Policy and Records Management Policy.

### **How the government uses your data**

The governance data that UET lawfully share with the Department for Education (DfE) via GIAS will:

- increase the transparency of governance arrangements;
- enable local authority maintained schools, academies, academy trusts and the Department for Education (DfE) to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context; and
- allow the Department for Education (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 Department for Education (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 Department for Education (DfE) and education establishment users with a Department for Education (DfE) Sign-in 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 Department for Education (DfE) unless the law allows it.

## **How to find out what personal information the Department for Education (DfE) hold about you**

Under the terms of the [Data Protection Act 2018](#), you're entitled to ask the Department for Education (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; and
- 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 Department for Education (DfE), you should make a subject access request (SAR). Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

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