

1. Data Controller

Data Controller name: Trinity Academy Newcastle Trust

Registration Number: ZA118810

Table of Contents

1. Data Controller.....	1
2. Overview.....	2
*The Relevant Data Protection Legislation	2
3. Purpose of the processing and the lawful basis for the processing	2
Categories of personal data.....	2
The Trust process the following information under this privacy notice:.....	2
Legal basis for processing your data	2
4. How personal data is stored by the Trinity Academy Newcastle Trust	4
5. Automated individual decision making, including profiling	4
6. Personal Data may be shared	5
7. Transfers to third party countries	5
8. How long personal data is held by the Trust.....	6
9. Where does the Trust get your personal data from?.....	6
10. Your Rights (including under GDPR).....	7
Access to information	7
Data Portability	7
Rectifying Data	7
How we will contact you and your right to object to direct marketing.....	7
Erasing Data.....	7
11. Data Protection Office	7
12. Lodging a Complaint with the Information Commissioners Office	8
Restricting Processing	8
13. Changes to this privacy notice.....	8
14. Appendix - Legal Conditions for Processing Data Under GDPR	8
Personal Data.....	8
Special Categories (known as "Sensitive Data/Sensitive Personal Data" in the DPA).....	9

2. Overview

This privacy notice is a statement that describes how and why Trinity Academy Newcastle Trust ('the Trust') processes ('collects', 'uses', 'retains', 'discloses', 'disposes of') personal information in relation to business partnerships where personal data is stored within the Trust's internal and cloud-based storage systems.

This notice also explains how you can control how we use your information in accordance with your rights under relevant data protection legislation*.

*The Relevant Data Protection Legislation

The Trust processes personal data in accordance with our obligations under the UK Data Protection Act 1998 ('DPA'). The DPA will be replaced on 25th May 2018 by the EU wide General Data Protection Regulations ('GDPR').

This notice is written to comply with requirements under both DPA and GDPR (as they are known), however, elements may change before or after 25th May 2018 to reflect the new law and any relevant guidance issued by the Information Commissioners Office (ICO). We shall inform you of any changes to this notice.

3. Purpose of the processing and the lawful basis for the processing

Categories of personal data

The Trust process the following information under this privacy notice:

- **Personal data** which includes, names, postal and email addresses, telephone and mobile phone contact details, date of birth, age, gender and photographic images, academic details, information relating to family, lifestyle and social circumstances, education and training details, current and previous employment details, and financial details.
- **Sensitive personal data** (known as 'Special Categories' under GDPR) including: physical or mental health or condition, racial or ethnic origin, religious or other beliefs of a similar nature, spent or unspent criminal convictions or offences.

Legal basis for processing your data

The first data protection principle (DPA) requires that the Trust must have a legal basis for processing your personal data. This is based on satisfying one or more "conditions

for processing” for personal data and at least two conditions for “sensitive personal data”.

Under GDPR, these “legal basis” for processing conditions must be communicated to you, alongside the type of processing they relate to, as part of this privacy notice. As GDPR is a new law, the conditions identified below may be subject to change as more guidance is given or precedents are set. You will be notified of any changes to this notice, with a chance to reaffirm or withdraw your consent.

Description of the reasons...

- **why** data is required under this notice,
- **which** Trust department(s) will use it, and
- **what** the consequences of our *not* having it will be (e.g. ‘we cannot correspond with you’, ‘cannot deliver against a contract’ etc..)

Our business partnerships support the management and development of skills, innovation, enterprise, research, entrepreneurship and economic growth, as well as improving further education and employment opportunities available to our learners. We process data so we can monitor our communications with external organisations to ensure a useful and accurate response is delivered in a timely manner. The data protection office has oversight of all data alongside relevant key members of staff across the Trust. Without this data, we cannot to manage our relationship, ensure the safeguarding of learners, correspond with you regarding the core operations of the Trust, or inform you of any opportunities that may be of interest to you.

	Activity	Legal Basis Under Article 6 or 9 GDPR (See Appendix) unless otherwise stated
1.	Recording and administration of business relationships.	1(a), 1(b) and/or 1(f)
2.	Recording of communication and/or management of enquiries	1(a), 1(b) and/or 1(f)
3.	Administration of business activities e.g. registration and invitation to events, invitation to give guest lectures and/or tours.	1(a), 1(b) and/or 1(f)
4.	Pursuit of business and social activities e.g. inviting business partners to Trust events and sending newsletters.	1(a), 1(b) and/or 1(f)
5.	Recording the provision of the Trust’s services such as use of the Trust’s premises, facilities, equipment and resources.	(1)(a), 1(b), 1(c), 1(d) and/or (1)(f)
6.	Processing and recovery of accounts and payments.	1(a), 1(b) and/or 1(f)
7.	Research and statistical analysis.	1(b) or 1(f)
9.	Production of statistical returns required for third parties and government bodies for completion of	1(a), 1(b), 1(c), 1(d), 1(e) and/or (1)(f)

	<p>contractual obligations and supported services. E.g., school workforce census sent to the DfE, requesting additional funding to the local educational authority, using your information as evidence to achieve certain quality-marked school awards, personal data given to our ICT services to enable access to our ICT services and/or equipment, etc. (see section 6 for full list)</p>	
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4. How personal data is stored by the Trinity Academy Newcastle Trust

Personal data is stored in the Trust's contact recording systems including databases, spreadsheets and shared drives located on-site (the Trust's servers) and on the cloud (Microsoft Office 365). Access to these locations is restricted to Trust employees only. All Trust employees, contractors and volunteers who are granted access to personal data receive mandatory Data Protection training and have a contractual responsibility to maintain confidentiality.

5. Automated individual decision making, including profiling

'Automated decisions' occur where systems make decisions about you 'automatically' without human intervention. We **do not** currently use any automated decision making systems. We will contact to inform of any changes and seek your consent to do so.

'Profiling' is where information about you is used to make decisions about you, tailor goods or services based on your interests, or records of your past interactions with us.

E.g. Using information outlined above to contact you regarding our services, operational needs, business-related, marketing, fundraising or social activities.

You have the right to change your mind for any of the above at any time even after providing your consent, by contacting the data protection officer on data.central@trinity.newcastle.sch.uk.

The legal basis for profiling is:

2 (a) is necessary for entering into, or performance of, a contract between the data subject and a data controller;

2 (b) is authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests; or

2 (c) is based on the data subject's explicit consent.

6. Personal Data may be shared

Personal data collected under this privacy notice may be shared, as appropriate, with...

- The Local Educational Authorities ('the LEA'), the Education Skills Funding Agency ('the ESFA') and the Department for Education ('the DfE') for the purposes of Statistical Reporting, legal obligations as an education provider, request for additional funding, and/or fulfil the Trust's contractual obligations (funding agreement, etc.).
- The Disclosure and Barring Service for the purposes of safeguarding the Trust's students.
- Awarding Bodies (e.g. City & Guilds, British Safety Council, PASMA, etc.) and Training Certification / CPD Providers (e.g. Team Teach), for the purposes of registration, assessment and certification of any courses undertaken at the Trust.
- Youth Support Services (e.g. Connexions) for the purposes of careers guidance and facilitation of placements.
- The Newcastle City Council ICT Services for administration of a user account, should that be considered necessary for your relationship with the Trust.
- Our website, local and online media and newsletters (i.e. 'the public domain'), for the purposes of parental engagement and publicity.
- Locally stored and cloud based software applications for the purposes of managing bought-in services (e.g. Utilities, facilities and premises maintenance, etc.)

On occasion, the Trust may also be obliged to provide information to the police, local authorities or relevant government departments if it is deemed necessary under the appropriate exemption for the prevention or detection of crime and/or safeguarding concerns.

7. Transfers to third party countries

Some services utilised by the Trust are hosted by, or shared with, other organisations based either within the European Union or, in limited situations, outside of the European Union (referred to as "third party countries"), in countries that have comparable levels of protection. Where data is shared with organisations

outside of the European Union, we ensure that there are appropriate safeguards in place.

The following systems may require sharing of data outside of the UK.

Provider	Services	Location Hosted
Microsoft Office 365	Cloud storage solutions and Emails sent to/from the Trust's email accounts	Within the EU

8. How long personal data is held by the Trust.

In compliance with the Trust's retention schedule will maintain a record which may include personal data for...

Record Series	Description	Maximum Period
Enquiry Data	Expressions of interest in courses and event attendance information.	12 months
Business & Financial data	Quotes, proposals, agreements, contracts, etc.	7 years

9. Where does the Trust get your personal data from?

We obtain personal data about you from the following sources:

- Direct from you via business cards, flyers, emails, telephone or web enquiries, submission of an online form, event attendance, enquiry, working with the Trust, contractual relationship, etc.

or

- From third party sources, where we will always try to ensure that the third party has lawful authority to provide us with the data, for example referral from an external organisation, one of your colleagues or contacts.

10. Your Rights (including under GDPR)

Access to information

You have a right to request copies of the data held about you by the Trust. To do so please contact the data protection office for a Subject Access Request.

Data Portability

From 25th May 2018 onwards you will have the right to request any personal data you submitted electronically to us. To do so please contact the data protection office.

Rectifying Data

If at any point you believe the information we process about you is inaccurate or incomplete you can request to see this information and even have it corrected or deleted. To do so please contact the data protection office.

How we will contact you and your right to object to direct marketing

All communication with you, including in relation to updates to this privacy notice, will be made via the preferred method of communication that you have registered with us and you will be able to select the type of correspondence you receive.

If, at any stage, you are concerned about the content (e.g. unwanted marketing), frequency (too many) or method (change preference) of these communications, you can unsubscribe or update your preferences using the link which will be provided at the bottom of the relevant correspondence.

Please note that the option to unsubscribe may not be included in direct personal correspondence with individual members of staff, but you may request to them that you be removed from our systems.

Erasing Data

Should you object to the processing of your data for any or all the purposes listed in this privacy notice, or should you wish to have your data erased from our system, please contact the data protection office.

11. Data Protection Office

The Officer responsible for Data Protection at the Trust is Berjees Tata.

If you have any questions which you feel have not been covered by this Privacy Notice, or if you have concerns or a complaint in relation to the Trust processing your personal data, please do not hesitate to email us at

data.central@trinity.newcastle.sch.uk

If your request is urgent, please call +44 (0)191 298 6950

12. Lodging a Complaint with the Information Commissioners Office

Should you be dissatisfied with the Trust's processing of your personal data, you have the right to complain to the Information Commissioner's Office. For more information see [Information Commissioner's Office \('ICO'\) web site](#).

Restricting Processing

From 25th May 2018 onwards, if you wish to raise a complaint on how we have handled your personal data, you can also request that we 'restrict processing' meaning that the data will be preserved from further processing 'as evidence' to support your complaint to the ICO. Contact our Data Protection Officer (*see above*) to request restriction of processing.

13. Changes to this privacy notice

We keep this privacy notice under regular review. This privacy notice was last updated on 02 May 2018. The next review is due by 01 April 2019.

14. Appendix - Legal Conditions for Processing Data Under GDPR

Personal Data

Article 6, EU GDPR "Lawfulness of processing"	Meaning
1. Processing shall be lawful only if and to the extent that at least one of the following applies:	
(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;	Any data which is optional and will only be processed if you agree to it.
(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;	Data that we need to process in order to fulfil contractual obligations to you.
(c) processing is necessary for compliance with a legal obligation to which the controller is subject;	Where the Trust has a legal obligation to provide information to a third party.
(d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;	The Trust may have to release without consent to protect your interests or the interests of others e.g. medical emergencies, criminal investigations, etc.
(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;	As a Trust, our educational activities are "public tasks" and we may be required to process information about you to fulfil these tasks.
(f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require	"Legitimate interest" is generally the interest of the Trust (or third party) in providing services, or the provision of education to a data subject.

protection of personal data, in particular where the data subject is a child.	
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Special Categories (known as “Sensitive Data/Sensitive Personal Data” in the DPA)

Article 9, EU GDPR "Processing of special categories of personal data"	Meaning
1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.	
2. Paragraph 1 shall not apply if one of the following applies:	
(a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;	Any special category data which is 'optional' will only be processed if you agree to it. e.g. Unless required by Law or Contract, we would ask permission to “process sensitive data”.
(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;	Where the Trust must process special categories of personal data to fulfil a duty of care to safeguard their students and staff, or to perform their civic duty under the rule of law. E.g. processing information related to DBS checks.
(c) processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;	Medical Emergencies
(d) processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;	Trust does not share information under this sub-article
(e) processing relates to personal data which are manifestly made public by the data subject;	Data is already “publicly available”. e.g. confirming information about an individual that is in the news.
(f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;	Processing “special categories” of data in connection with legal claims (Trust or Individuals).
(g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law	Processing “special categories” of data where necessary for reasons of substantial public interest. e.g. where an individual may

Trinity Academy Newcastle Trust - 'B2B' Privacy Notice

<p>which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;</p>	<p>be in danger and provisions need to be put in place to protect them.</p>
<p>(h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;</p>	<p>Processing "special categories" of data where necessary for occupational health provision. e.g. sharing information for assisting with adjustments</p>
<p>(i) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;</p>	<p>Processing "special categories" of data where necessary for reasons of substantial public interest. e.g. an outbreak of Meningitis</p>
<p>(j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.</p>	<p>Processing "special categories" of data where necessary for archiving purposes (e.g. quotes for financial audit and tax purposes)</p>