

PRIVACY NOTICE**Trustees, Governors and Members****Reviewed: Mar 2021 Review Frequency: Annual****Who processes your information**

Ebor Academy Trust is a *Data Controller* of the personal information you provide to us. This means that we determine the purposes for which and the manner in which any personal data relating to Trustees, Governors and Members is processed. We have a responsibility to you and your personal data and will only collect and use this in ways which are compliant with data protection legislation.

The Trust has appointed the Director of Risk, Governance and Compliance as its *Data Protection Officer* (DPO). The role of the DPO is to ensure that the Trust is compliant with GDPR and to oversee data protection procedures. The DPO's email address is: dpo@ebor.academy

Why we need your information

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

We collect and use information, for the following purposes:

- Comply with the law regarding Section 72 of the Education and Inspections Act 2006
- Comply with the statutory requirements for recording governance within the Academies Financial Handbook, Funding Agreement, Articles of Association and Get Information About Schools on the DfE database
- Safeguarding checks
- Provide appropriate statutory advice and guidance
- Deliver governor advice, guidance, information and training

Information that we collect, process, hold and share

We process data relating to those volunteering at our trust/academy. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Current and previous contact details – title, name(s), address(es), email address, telephone contact details
- Current governance positions (type of role appointed to, any positions held on an academy board and term of office)
- Previous governance positions (type of role appointed to, any positions held on an academy board, terms of office served and reasons for resignations/susensions)
- Training records (of attendance at organised/commissioned training events)
- Signed Declaration of Eligibility and Register of Pecuniary Interest forms
- Signed Ethos of Undertakings (Church Schools Only)
- Information provided by individuals as part of an application form to facilitate the appointment procedure

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The lawful basis on which we process this information

Under the General Data Protection Regulation (GDPR), the legal bases we rely on for processing personal information for general purposes are:

- Article 6 1(c) of the GDPR which allows processing that is necessary to comply with a legal obligation
- Article 6 1(e) of the GDPR which allows processing that is carried out in the public interest

Less commonly, we may also use personal information about you when:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap and there may be several grounds which justify our use of your data.

Collecting governance information

We collect personal information via governance recruitment processes, declaration forms, ethos of undertakings (faith schools) and training administration.

Governance data is essential for the trust'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 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.

Storing governance information

Personal data is stored in line with our Records Management and Data Protection Policies. In accordance with data protection legislation, it is only retained for as long as necessary to fulfil the purposes for which it was obtained, and not kept indefinitely.

Who we share trustee, governance and members information with

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

- Government departments or agencies – to meet our legal obligations to share information
- about governors/trustees
- Our local authority – to meet our legal obligations to share certain information with it, such as details of governors
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as governor/trustee support
- Professional advisers and consultants
- Employment and recruitment agencies

- Police forces, courts

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

What are your rights?

As the data subject, you have specific rights in relation to the processing of your data. You have a legal right to:

- Request access to the personal data that Ebor Academy Trust holds
- Request that your personal data is amended if it is inaccurate or incomplete
- Request that your personal data is erased where there is no legal basis for its continued processing
- Request that the processing of your personal data is restricted
- Object to your personal data being processed if it is likely to cause, or is causing, damage or distress

Requests must be submitted to the Data Protection Officer (on the contact details provided). Ebor Academy Trust will consider all requests in line with your legal rights and our legal obligations.

Where the processing of your data is based on your explicit consent, you have the right to withdraw your consent at any time. This will not affect any personal data that has been processed prior to withdrawing consent.

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

Department for Education

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

We are required to share information about individuals in governance roles with the (DfE) under the requirements set out in the [Academies Financial Handbook](#)

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

How Government uses your data

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

- will increase the transparency of governance arrangements
- will enable maintained schools and academy trusts and the department to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context
- allows the department 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 including the data that we share with them, go to <https://www.gov.uk/government/news/national-database-of-governors>

Note: Some of these personal data items are not publically available and are encrypted within the GIAS system. Access is restricted to a small number of DfE staff 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, unless the law allows it.

How to find out what personal information DfE hold about you

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

- 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 Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

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

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated *March 2021*.

Contact

If you would like to discuss anything in this privacy notice, please contact the trust *Data Protection Officer (DPO) via dpo@ebor.academy*