



EBOR ACADEMY TRUST

PRIVACY NOTICE

Trustees, Governors and Members

Reviewed: November 2024

Monitoring and Review of this Document:

The Trust shall be responsible for reviewing this document from time to time to ensure that it meets legal requirements and reflects best practice



Ebor Academy Trust is an exempt charity regulated by the Secretary of State for Education. It is a company limited by guarantee registered in England and Wales, Registered Company Number 08806335, whose registered office is at Ebor Academy Trust, Ebor Business and Training Centre, The Leyes, Osbaldwick, York, YO10 3PR.

Ebor Academy Trust: One School, Many Sites

Privacy Notice Introduction

This privacy notice has been written to inform Governors, Trustees and volunteers at Ebor Academy Trust (the Trust) about how and why we process your personal data.

Who processes your information?

Your school is part of Ebor Academy Trust, the 'Data Controller' ultimately responsible for how the school handles your personal information. This means that we determine the purposes for which, and the manner of the processing. We will only collect and use your personal data in ways which are compliant with data protection legislation.

Data Protection Officer (DPO): Wendy Harrington

The role of the DPO is to monitor our compliance with the UK GDPR and the Data Protection Act 2018 and advise on data protection issues. If you would like to discuss this privacy notice or our use of your data, please contact us:

dpo@ebor.academy

Ebor Academy Trust, The Leyes, York, YO10 3PR

Phone: 01904 806806

Why do 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:

- Relevant criminal history data, including your DBS check, where applicable.
- Photographs or video images of you, including CCTV footage.
- Relevant skills, expertise and qualifications.
- References you have provided.
- Records of communications and interactions we have with you, including telephone call recordings.
- Equality monitoring information, such as your ethnicity, religious beliefs and gender.
- Information about any health condition or disability you may disclose.
- E-monitoring information about your use of the school's network and IT systems.

What personal information do we collect?

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/suspensions)
- 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
- Relevant criminal history data, including your DBS check, where applicable.
- Photographs or video images of you, including CCTV footage.
- Relevant skills, expertise and qualifications.
- References you have provided.
- Records of communications and interactions we have with you, including telephone call recordings.
- Equality monitoring information, such as your ethnicity, religious beliefs and gender.
- Information about any health condition or disability you may disclose.
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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:

- Article 6(1)(a) - You have given us consent to use it in a certain way
- Article 6(1)(d) - We need to protect your vital interests (or someone else's interests)

Where we are processing your personal data with your consent you have the right to withdraw that consent. If you change your mind or are unhappy with our use of your personal data, please let us know by contacting dpo@ebor.academy.

Some of the information we collect about you is classed as special category data under the UK GDPR. The additional conditions that allow for processing this data are:

- Article 9(2)(a) - explicit consent
- Article 9(2)(g) - reasons of substantial public interest (with a basis in law)
- Article 9(2)(c) - we need to protect an individual's vital interests (i.e. protect your life)

- Article 9(2)(e) - the data concerned has already been made manifestly public by you
- Article 9(2)(f) - we need to process it for the establishment, exercise or defence of legal claims
- Article 9(2)(i) - public health (with a basis in law)
- Article 9(2)(j) - archiving, research and statistics (with a basis in law)

The applicable substantial public interest conditions in Schedule 1 of the Data Protection Act 2018 are:

- Condition 6 - statutory and government purposes
- Condition 8 - equality of opportunity or treatment
- Condition 10 - preventing or detecting unlawful acts
- Condition 18 - safeguarding of children and vulnerable people

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.

Criminal offence data

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- The data concerned has already been made manifestly public by you.
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights.
- We need to process it for reasons of substantial public interest as defined in legislation.

Who do we obtain your information from?

We normally receive this information directly from you, for example via admissions forms, or secure file transfer from a previous school. However, we may also receive some information from the following third parties:

- Department for Education (DfE).
- Disclosure and Barring Service (DBS).
- York Diocesan Board of Education and the Diocese (for faith schools).
- Charitable Foundations and Parochial Church Councils (PCCs).
- Referees you have provided.

How long do we keep your personal data for?

Personal data is stored in line with our Records Management and Data Protection Policies. A copy of this document can be found on the school's website. 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 do we share your personal data with?

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

Where it is legally required, or necessary (and it complies with data protection law), we may share personal information about you 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
- Police forces, courts
- Ebor auditors
- Schools ICT and our IT suppliers
- The press
- Door entry system providers (eg inventory)
- Our regulator, eg Ofsted and DfE
- The Diocese and York District Board of Education
- Online voting software companies for governor elections
- Charities, Foundations, Parochial Church Councils (PCCs) and voluntary organisations

International transfers of data

Although we are based in the UK, some of the digital information we hold may be stored on computer servers located outside the UK. Some of the IT applications we use may also transfer data outside the UK. Normally your information will not be transferred outside the European Economic Area, which is deemed to have adequate data protection standards by the UK government. In the event that your information is transferred outside the EEA, we will take reasonable steps to ensure your data is protected and appropriate safeguards are in place.

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.
- In certain circumstances, be notified of a data breach.
- be advised who it has been, or will be, shared with.

Requests must be submitted to the Data Protection Officer. 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 *November 2024*.

Contact

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