



ENDEAVOUR LEARNING TRUST

GOVERNANCE¹ DATA PRIVACY STATEMENT

1 INTRODUCTION

- 1.1 Endeavour Learning Trust (“the Trust”) is committed to protecting the privacy and security of its Members’, Trustees’ and Local Councillors’ personal information. This Governance Privacy Statement provides you with important information about what, how, where, why and when the Trust and its schools collect and process your personal data.
- 1.2 The Members of the academy trust also have their personal data processed (when individuals) to comply with company law and regulatory requirements specified by the Department for Education and Companies House.
- 1.3 This statement should be read in conjunction with our Data Privacy Policy which contains more generalised information about our data protection procedures.
- 1.4 This statement also outlines how the Trust will use personal data relating to any prospective Member, Trustee or Local Councillor to facilitate their recruitment and/or onboarding.

2 WHAT IS PERSONAL DATA?

- 2.1 Personal Data is any information that ‘relates to’ an identified or identifiable individual. It includes information relating to you, from which we can identify you directly or indirectly (e.g. because it includes your name).
- 2.2 It also includes information relating to you, from which you cannot be directly identified, if you can be identified from that information when it is used in combination with other information we hold about you.
- 2.3 Personal Data can include information relating to you that has been ‘pseudonymised’, meaning that any information that directly or indirectly identifies you (e.g. your name) is removed and replaced with one or more artificial identifiers or pseudonyms (e.g. GIAS ID number).
- 2.4 However, truly anonymous data, or data that has had any identifying information permanently removed from it, does not count as Personal Data.
- 2.5 When considering whether information ‘relates to’ you for the purposes of Data Protection Legislation, we consider a range of factors, including the content of the information, the purpose or purposes for which we are processing it, and the likely impact or effect of that processing on you.

3 WHAT IS ‘PROCESSING’?

- 3.1 Any activity that involves the use of your Personal Data is referred to as Processing (Processing or Process). It includes:

¹ Governance refers to all tiers of governance in the Trust, namely Members, Trustees and members of the Local Academy Councils (also known as Local Academy Councillors), plus any observers at governance related meetings.



- 3.1.1 Obtaining, recording or holding personal data (e.g. asking you to complete personnel forms, or performing a DBS criminal record check);
- 3.1.2 Carrying out any operation or set of operations on Personal Data such as organising, amending, retrieving, using, disclosing, erasing or destroying it (e.g. recording relevant information on your file); and
- 3.1.3 Transmitting or transferring Personal Data to third parties (e.g. transferring information to the DfE or Companies House).

4 TYPES OF PERSONAL INFORMATION WE COLLECT

- 4.1 We currently collect and process the following information in relation to Governance roles;
 - 4.1.1 personal identifiers;
 - 4.1.2 contacts;
 - 4.1.3 characteristics;
 - 4.1.4 governance details;
 - 4.1.5 opinions in meetings; and,
 - 4.1.6 relevant medical information.
 - 4.1.7 application forms, training records and skills assessments.

5 HOW DO WE COLLECT PERSONAL DATA?

- 5.1 Most of the personal data the Trust collects is provided to us directly by you.
- 5.2 Most of the information you provide to us is mandatory, however, some will be requested on a voluntary basis. In order to comply with data protection legislation, 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.

6 HOW DO WE USE PERSONAL DATA?

- 6.1 Most of the personal data relating to its governance the Trust processes is provided to us directly by you for one of the following reasons;
 - 6.1.1 To enable a comprehensive picture of the Trust's governance.
 - 6.1.2 to improve the management of the Trust's governance
 - 6.1.3 to inform the development of governance documentation including recruitment information (e.g. parent elections) and roles and responsibilities.
 - 6.1.4 to communicate with you in connection with your governance role
 - 6.1.5 to understand how your physical or mental health may be relevant to your role
 - 6.1.6 to keep appropriate records required by law
 - 6.1.7 to monitor your performance or conduct
 - 6.1.8 to enable the monitoring of selected protected characteristics.
 - 6.1.9 To enable governance modelling and succession planning.
- 6.2 The Trust also receives personal information indirectly, with the following sources;
 - 6.2.1 The Disclosure and Barring Service (DBS);
 - 6.2.2 Referees during the recruitment process



- 7 **LAWFUL BASIS (INCLUDING CRIMINAL OFFENCE DATA)****
- 7.1 We collect and use your information under the General Data Protection Regulation (UK GDPR) as well as employment law and Safeguarding requirements. The lawful reasons that we can process your data are:
- 7.1.1 Article 6.1a – consent (in limited circumstances);
- 7.1.2 Article 6.1c – processing is necessary for compliance with a legal obligation to which we are subject; or
- 7.1.3 Article 6.1e – processing is necessary for the performance of a task carried out in the public interest.
- 7.2 We also process special categories of personal data which includes Criminal Offence Data as part of the recruitment process (e.g. when we conduct a standard or enhanced DBS criminal record check). We also may be notified from time to time of a criminal offence data in the course of your role (e.g. when you have been suspected to have committed a crime, or if you report a criminal conviction to us).
- 7.3 We will use Criminal Offence Data we hold in the following ways:
- 7.3.1 To determine whether your criminal record (i.e. the results of a standard or enhanced DBS check) impacts upon your suitability to be in a governance role;
- 7.3.2 To consider whether any criminal charges, prosecutions or convictions (including cautions you accept) that occur during your term of office warrant impact upon your continued suitability for your role, and/or must be reported by us to our insurers, or to regulatory authorities (e.g. DfE).
- 7.4 We will only collect and process criminal conviction data if it is appropriate given the nature of the role, and where we have a lawful basis to do so. This will usually be where processing is necessary to carry out our obligations. We have in place an appropriate policy document and safeguards that we are required by law to maintain when processing criminal conviction data (please see our Data Protection Policy for further details).
- 7.5 We may process criminal offence data and some special category data in accordance with the conditions set out in Schedule 1 Data Protection Act 2018. The conditions include, but are not limited to:
- 7.5.1 For the purpose of employment, social security and social protection law
- 7.5.2 Consent
- 7.5.3 Counselling
- 7.5.4 Preventing and detecting an unlawful act
- 7.5.5 Safeguarding children
- 7.5.6 Preventing fraud
- 7.5.7 Equality of opportunity or treatment
- 7.6 Academy trusts under the Academy Trust Handbook, Keeping Children Safe in Education and Companies Act 2006 have a legal duty to provide the governance information as detailed above.



8 PROCESSING THE PERSONAL DATA OF THIRD PARTIES

- 8.1 In some limited circumstances, and for specified purposes, we will also process personal data relating to third parties, such as your next of kin and/or dependants. For example, we may need to process their personal data for the purposes of administering any insurance and pension survivor benefits they may be entitled to or in an emergency situation. Where this occurs, we may contact your next of kin and/or dependants separately to explain why we need to process their personal data.

9 HOW DO WE STORE YOUR PERSONAL INFORMATION?

- 9.1 Endeavour Learning Trust securely stores your personal information for the set amount of time shown in our data retention schedule. The Trust uses Governor Hub as its platform for storing data and all governance roles register with this platform. For more information on our data retention schedule and how we keep your data safe, please see information on the [Trust's website](#).

10 WHO DO WE SHARE YOUR PERSONAL INFORMATION WITH?

- 10.1 The Trust does not share your information with anyone without consent unless the law and our policies allow us to do so.
- 10.2 The Trust will, when appropriate, share governance information with;
- 10.2.1 the local school community;
 - 10.2.2 the local authority;
 - 10.2.3 the Department for Education (DfE);
 - 10.2.4 Get Information About Schools;
 - 10.2.5 Companies House
 - 10.2.6 within our Multi Academy Trust.
- 10.3 We may also share your personal data with third parties as directed by you.

11 WHERE IN THE WORLD IS YOUR PERSONAL DATA TRANSFERRED TO?

- 11.1 If any of our processing activities require your personal data to be transferred outside the UK or European Economic Area, we will only make that transfer if:
- 11.1.1 the country to which the personal data is to be transferred ensures an adequate level of protection for personal data;
 - 11.1.2 we have put in place appropriate safeguards to protect your personal data, such as an appropriate contract with the recipient;
 - 11.1.3 the transfer is necessary for one of the reasons specified in data protection legislation, such as the performance of a contract between us and you; or
 - 11.1.4 you explicitly consent to the transfer.

12 PROCESSING THE PERSONAL DATA OF THIRD PARTIES

- 12.1 In some limited circumstances, and for specified purposes, we will also process personal data relating to third parties, such as your next of kin and/or dependants. For example, we may need to process their personal data for the purposes of contacting them in an emergency situation. Where this occurs, we may contact your next of kin and/or dependants separately to explain why we need to process their Personal Data.



13 CHANGES TO YOUR PERSONAL DATA

- 13.1 It is important that the personal data we hold about our governance tiers are accurate and current. Please keep us informed if your personal information changes during your time at the Trust by contacting the your Governance Officer or the Trust's Governance Professional.

14 YOUR DATA PROTECTION RIGHTS

- 14.1 Under data protection law, you have rights, including;

14.1.1 **Right to be informed** – about how and why your data is being used.

14.1.2 **Right of access** – you have the right to ask us for copies of your personal information;

14.1.3 **Right to rectification** – you have the right to ask us to rectify personal information you think is inaccurate or to ask us to complete information;

14.1.4 **Right to erasure** – you have the right to ask us to erase your personal information in certain circumstances;

14.1.5 **Right to restriction of Processing** – you have the right to object to the Processing of your personal information in certain circumstances;

14.1.6 **Right to data portability** – you have the right to ask that we transfer the personal information we hold about you to another organisation.

14.1.7 **Right to not to be subject to a decision based solely on automated processing** – for decisions that have a have a legal or similarly significant effect on individuals.

- 14.2 You are not required to pay any charge for exercising your rights. If you make a request we must respond in one month.

- 14.3 Please contact Catherine White, Governance & Compliance Professional and Data Protection Officer on 01772 817604 / c.white@endeavourlearning.org if you wish to make a request.

15 HOW TO COMPLAIN AND WITHDRAW CONSENT

If you have any concerns about our use of your personal information, wish to exercise your rights in relation to your Personal Data, or make a complaint, please let us know by contacting Catherine White, Governance & Compliance Professional and Data Protection Officer on 01772 817604 / c.white@endeavourlearning.org

- 15.1 You can also complain to the Information Commissioner's Officer (ICO) if you are unhappy with how we have used your data.

16 CHANGES TO THIS DATA PRIVACY STATEMENT

- 16.1 We keep our practices and policies regarding the collection, Processing and security of Personal Data under continual review and may update them from time to time. We therefore reserve the right to change this Data Privacy Statement at any time. We will notify you of any changes made at the appropriate time and may re-issue a new Data Privacy Statement if appropriate.

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