



THE CONSORTIUM
ACADEMY TRUST

The Consortium Academy Trust - Governor Data Protection Statement

Revision 2

In the course of our business we collect, store and process personal information about our governors and those who apply to become a governor.

This Data Protection Statement ("**this Statement**") explains what information we collect from and about our governors and those who apply to become a governor, how long we keep it and what their related rights are.

1. Who are we?

- 1.1 We are The Consortium Academy Trust (registered company number 07665828). Our registered office and address for correspondence is at Cottingham High School, Harland Way, Cottingham, East Riding of Yorkshire, England, HU16 5PX.
- 1.2 Our Data Protection Officer can be contacted at dpo@consortiumtrust.co.uk
- 1.3 We are committed to ensuring that all personal information we hold is treated properly and in accordance with applicable data protection legislation. We are registered as a data controller with the Information Commissioner's Office ("**ICO**") and our registration number is ZA359251. In accordance with applicable data protection legislation, we are required to explain to you how we will treat any personal information which we collect about you.
- 1.4 This Statement applies to anybody who applies to us to become a governor of any type with us (e.g. local governor at one of our academies, Trustee or Member) or subsequently becomes a governor of any type with us. This Statement covers the personal information we collect in connection with each application and in connection with each governor's relationship with us.
- 1.5 You promise that any information you supply to us is accurate and up-to-date, that you will inform us if any such information requires updating and that where you submit any other person's details to us you have that other person's permission or are otherwise legally permitted to do so on their behalf.
- 1.6 You have the right to lodge a complaint with the ICO if you have any concerns with regard to the way in which we process your personal information. We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

2. What information do we collect and how do we use it?

Application Process

- 2.1 Where you apply to become a governor, we will collect information from you during the application and any subsequent interview process and in any subsequent related correspondence by telephone, e-mail or otherwise. We may also receive relevant information from a third party such as (in respect of information relating to criminal convictions) the Disclosure and Barring Service.

2.2 This information may include:

- (a) your name, title, postal address(es), telephone number(s), email address(es), date of birth, gender, nationality, copies of personal official documents (e.g. passport, driving licence, birth certificate and marriage certificate); and
- (b) the following special category data: information about any disability, information about criminal convictions or offences.

2.3 Regardless of the success of your application, any information collected by us in connection with the application and interview process (other than that mentioned in paragraph 2.4 below) will be used as necessary for our public task obligations and legitimate interests in processing the relevant application, assessing your suitability and eligibility to be a governor, communicating with you about the process and complying with legal or regulatory requirements.

2.4 We will use your particularly sensitive personal information in the following ways:

2.4.1 Where we process your date of birth, gender and any disability information in connection with the application, we do so on the basis that the processing is necessary as part of our statutory equality duties under the Equality Act 2010 and monitoring diversity within governance

2.4.2 We will also use information about your disability status in connection with our legal requirement to consider whether we need to provide appropriate adjustments during the application process (for example whether adjustments need to be made during an interview); and

2.4.3 We will only collect information about criminal convictions where we would like to appoint you as a governor and where we are legally able to do so. Any such checks will be carried out on the basis that the role requires a high degree of trust and integrity since it could involve dealing with safeguarding matters and working within environments supporting vulnerable children and so we would like to ask you to seek a basic disclosure of your criminal records history in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable to be a governor.

2.5 If you fail to provide information when requested which is necessary for us to consider your application (such as a copy of your passport), we will not be able to consider your application any further.

2.6 We do not make solely automated decisions about governors or governor applicants

Use of Governor Information

Where you are or become a governor with us (of any type):

2.7 We may collect the following information about you during your relationship with us as a governor:

- (a) emergency contact information, bank account details, employer name and address, other business positions (e.g. company directorships and partnerships),

information relating to any conflicts of interest or related transactions involving to you or your close family members, information about your use of our information and communications systems; access logs recorded using any swipe card access system at any of our premises; a passport-style photograph (to be taken by us); and

- (b) the following special category data: health and sickness records (including medical history), information about criminal convictions and offences.

2.8 We will use your personal information (including information collected during the application process) for a number of reasons, including (but not limited to):

- (a) to comply with a legal obligation to which we are subject (for example, to comply with health and safety requirements, to ensure meaningful equal opportunity monitoring, reporting and compliance);
- (b) where it is necessary for the purposes of our legitimate interests and your interests and fundamental rights do not override those interests (for example, to administer your relationship as a governor with us, to contact you in relation to governor meetings and other matters which you become involved with as a governor, to reimburse you in respect of any authorised expenses that you incur in connection with your governor role, to monitor your attendance at governor meetings and general level of involvement as a governor, to monitor your use of our information and communications systems to ensure compliance with our policies and procedures, for site security purposes, to prevent fraud, and to maintain and publish an up-to-date list of our governors on our (or the relevant academy's) website;
- (c) where it is necessary for our legitimate interest in establishing, exercising or defending any legal claims;
- (d) where it is necessary for the performance of a task in the public interest (for example, we will repeat the DBS check procedure mentioned in section 2.4 above every 5 years during your time as a governor to ensure that nothing has changed in your criminal convictions history which means you are no longer suitable to be a governor); and
- (e) where it is necessary to protect the vital interests of you or another person where you are physically or legally incapable of giving us consent.

2.9 Please note that if you are a Trustee or a Member, we may also publish the passport-style photograph that we take of you on the Trust's website, where such use is in our legitimate interests (so long as our interests are not overridden by the impact on you). Please contact our Data Protection Officer (who can be emailed at dpo@consortiumtrust.co.uk) if you do not wish for us to use your photograph in this way.

2.10 In limited circumstances, we may approach you for your consent to allow us to process certain information for purposes not referred to in this Statement. If we do so, we will provide you with full details of the information we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any such request for consent from us. If you do provide us with consent, you will be able to withdraw it at any time via the method that we notify you of when obtaining your consent. Any such withdrawal will not affect the lawfulness of our processing of your personal information before you withdrew consent.

- 2.11 If you fail to provide certain information when requested, we may be prevented from complying with our legal obligations (such as to comply with health and safety requirements) or you may no longer be able to continue as a governor.

3. To whom will we disclose your personal information?

We may share your personal information with third parties where permitted or required by law. Where consent is required, we will seek this separately. You will be asked before we disclose your personal information to third parties, **unless**:

- 3.1 they are only processing your information on our behalf for specified purposes in accordance with our instructions;
- 3.2 such disclosure is required by law (for example, we are required by law to submit certain governor information to the Department for Education from time to time in connection with their 'Get Information About Schools' service. We may also be required to observe any other statutory data collection requirements imposed on us from time to time. We also have a statutory duty to notify relevant authorities of safeguarding concerns, and a statutory duty to notify Companies House of the following information relating to Trustees and Members: name, date of birth, nationality, country of residence and occupation);
- 3.3 the third party is providing us with professional advice where necessary for our legitimate interests and permitted by law;
- 3.4 the disclosure is in connection with criminal investigations, legal proceedings or prospective legal proceedings where necessary for our related legitimate interests and permitted by law. Information relating to criminal convictions and offences is processed in accordance with Article 10 UK GDPR and Schedule 1 of the Data Protection Act 2018.
- 3.5 the disclosure is necessary for our legitimate interests in establishing, exercising or defending our legal rights (including providing information to others for the purposes of fraud prevention) and permitted by law;
- 3.6 the disclosure is necessary to protect the interests of you or another person where you are physically or legally incapable of giving us your consent;
- 3.7 the disclosure is necessary for the performance of a task in the public interest (e.g. in complying with our Academy Funding Agreement);
- 3.8 the disclosure is in connection with a proposed sale of any part of our business or assets (in which case we may disclose your personal information to the prospective seller or buyer of such business or assets and/or their professional advisors) or the proposed acquisition of substantially all of our assets by a third party. Any such disclosure will be made where necessary for the legitimate interests of us and/or the third party in respect of the proposed transaction; however we will not transfer your personal information to any such third party unless we are satisfied that they are able to provide an adequate level of protection in respect of your personal information; or
- 3.9 we have stated or informed you otherwise (including in this Statement) and such disclosure is permitted by law.
- 3.10 We do not normally transfer governor personal information outside the UK.

4. Your rights

- 4.1 You have a legal right to see a copy of the personal information that we keep about you and to require us to correct any inaccuracies, subject to certain exemptions. In some circumstances you may also have the right to:
- (a) request that we erase any personal information held about you;
 - (b) restrict our processing of your personal information (for example to ask to suspend the processing of personal information to establish its accuracy or the reasons for processing it);
 - (c) data portability (i.e. to request the transfer of personal information to a third party);
 - (d) object to our processing of your personal information where we are relying on a legitimate interest (or those of a third party) or the processing is carried out on the basis that it is necessary for the performance of a task in the public interest.
- 4.2 Requests in respect of the above should be made in writing to the Data Protection Officer, The Consortium Academy Trust, c/o Cottingham High School, Harland Way, Cottingham, East Riding of Yorkshire, England, HU16 5PX or via email at dpo@consortiumtrust.co.uk. Please contact the same address if you have any reason to believe that information we hold about you is inaccurate. We will respond to your request as soon as possible and, in any event, within one month from the date of receiving the request. Please note that we may, where legally permitted, reject any such request or limit the scope of our response (e.g. if, in the circumstances, the right does not apply to you).
- 4.3 In accordance with applicable data protection legislation, we follow security procedures in the storage and disclosure of your information. We may therefore request proof of your identity and rights before complying with any request of a nature described in section 4.1 above.
- 4.4 You will not generally have to pay a fee to exercise any of your rights described in section 4.1 above. However, we may charge a reasonable fee if you make a request to see a copy of your personal information which is clearly unfounded or excessive. Alternatively we may refuse to comply with your request in such circumstances.

5. Security, retention and destruction of your personal information

- 5.1 We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know that information.
- 5.2 We have put in place procedures to deal with any suspected data security breach and will notify you and/or any applicable regulator of a suspected breach where we are legally required to do so.
- 5.3 Any personal information held by us in relation to any of the purposes described in this Statement will be retained by us for as long as we need it to fulfil the purpose(s) for which it was collected (including for the purposes of satisfying any legal, accounting or reporting requirements and for the purposes of showing, in the event of a legal claim, that we have

conducted any governor application and appointment process in a fair, transparent and non-discriminatory way). Further details of our specific retention periods are set out in our Data Retention Policy (a copy of which is available upon request from our Data Protection Officer).

- 5.4 Whilst taking into consideration our legal obligations, we will on an ongoing basis: review the length of time that we retain personal data; consider the purpose or purposes for which we hold the personal data in deciding whether (and for how long) to retain it; securely delete personal data that is no longer needed for such purpose or purposes; and update, archive or securely delete information if it goes out of date.

6. How will you know if we make any changes to this Statement?

- 6.1 This Statement does not form part of any contract.
- 6.2 We may amend this Statement at any time. If we make any changes to the way in which we use your personal information we will notify you by writing to you or by sending you an e-mail.

7. Contact

If you have any questions about this Statement or our treatment of your personal information, please contact our Data Protection Officer by email at dpo@consortiumtrust.co.uk or by writing to the Data Protection Officer, The Consortium Academy Trust, c/o Cottingham High School, Harland Way, Cottingham, East Riding of Yorkshire, HU16 5PX.