



Induction Policy for New Trustees

DATE: 31 August 2021
REVIEW DATE : 27 June 2024
NEXT REVIEW DATE: 27 June 2027

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Welcome to the Board of Trustees. They, and the Chief Executive Officer (CEO) believe it is essential that all new Trustees receive a comprehensive induction package covering a broad range of issues and topics. There is a commitment to ensure that the new Trustees are given the necessary information and support to fulfil their role with confidence. The process is seen as an investment, leading to more effective governance and retention of Trustees.

This document should be read alongside the Trust Governance Handbook.

Purpose

- To welcome new Trustees to the Board and enable them to meet other members.
- To facilitate a quick engagement with the workings of the Board.
- To encourage a shared responsibility and an equitable contribution to the workload of the Board.
- To encourage new Trustees to visit the schools to experience their atmosphere and understand their ethos.
- To meet the Headteachers, staff and students.
- To explain the partnership between the CEO, Local Governing Body (LGB), Executive Team and Board of Trustees.
- To explain the role and responsibilities of Trustees.
- To give background material on the schools and current issues.
- To allow new Trustees to ask questions about their role and/or the Trust.
- To explain how the Board, LGBs and committees work.
- To allow new Trustees to join the committee(s) of their choice.

New Trustees as soon as is practicable will:

- Be welcomed to the Board by the Chair.
- Be invited by the CEO to visit the schools.
- Have the opportunity to tour the schools and meet staff and students.
- Receive an informal briefing on the Trust from the CEO and/or Chair.
- Be asked to complete a DBS check, register of interests and other documentation as required.
- Be required to undertake UK GDPR training (30 minute video – appendix 3).
- Be required to undertake Cyber Security Training (30 minute video – appendix 4)

- Be asked to sign a Code of Conduct.
- Be asked to register for Governor Hub (see below).

New Trustees will receive within two weeks of appointment (please see Governor Hub):

- The DfE Academy Trust Governance Guide
- The Trust's Code of Conduct
- The DfE's "Keeping Children Safe in Education"
- The ESFA's "Academies Financial Handbook"
- An outline of any training Trustees are required to attend
- Minutes of the last Board meeting and the details of any committees including terms of reference
- The Trust Scheme of Delegation.
- Dates for future Trustees' meetings
- Details of how to contact the other Trustees
- Policy documents relevant to committee membership
- Details of how to contact the Trust including the e-mail address and website
- A calendar of events.

Areas of discussion, which the Chair of Trustees will cover with the new Trustee, should include:

- Background to the Trust
- Current issues facing the Trust
- Visiting the Trust
- The relationship between the CEO, Local Governing Bodies (LGB), Executive Team and Board of Trustees
- An overview of the Trustee's role including confidentiality
- How the Board meetings are conducted including the use of the Governance portal
- Child Protection arrangements for the Trust and the Trustee's role in safeguarding these
- How to propose agenda items
- Importance of giving apologies if unable to attend meetings

- Trustee training

Contact details

Trust address: the Hub, Copse Close, Oadby, Leicestershire, LE2 4FU

Telephone: 01163033721

Email address: admin@oaktrust.org

Website: [OAK Multi Academy Trust – Home \(oaktrust.org\)](http://oaktrust.org)

Social media: X: @OakMATrust ; Linked In: [OAK Multi Academy Trust: Company Page Admin | LinkedIn](#)

Academies in our trust

ACADEMY NAME	ADDRESS	PHONE NUMBER	HEADTEACHER	PHASE
Brookside Primary School	Copse Close, Oadby, LE2 4FU	0116 271 3680	Miss Grace Brown	Primary
Manor High School	Copse Close, Oadby, LE2 4FU	0116 2729727	Mr Simon Greiff	Secondary
Overdale Infant School	Eastcourt Road, Knighton, Leicester, LE2 3YA	0116 2729794	Mrs Hayley Holmes	EYFS – Year 2
Overdale Junior School	Eastcourt Road, Knighton, Leicester, LE2 3YA	0116 2883736	Mr Matt Evans	Year 3–6
Woodland Grange Primary School	10 Beaufort Way Oadby, Oadby LE2 4TY	0116 2720401	Mrs Hayley Brown	Primary

Trustees

Chair: Jane Doughty – jdoughty@oaktrust.org

Vice chair: TBC

Governance Professional: Danielle Benyon-Payne – dbenyon-payne@oaktrust.org

Member-appointed Trustee: Jatinder Rai – jkaur@oaktrust.org

Member-appointed Trustee: Gaurav Suri – gsuri@oaktrust.org

Co-opted trustee: Farhan Adam – fadam@oaktrust.org

Co-opted trustee: Dina Nathwani – dnathwani@oaktrust.org

Co-opted trustee: Emma Orriss – eorriss@oaktrust.org

Co-opted trustee: Manjinder Sangha – msangha@oaktrust.org

Co-opted trustee: John Watson – jwatson@oaktrust.org

Co-opted trustee: Sean Morris – smorris@oaktrust.org

MAT leadership team

CEO: Andrew Wilson – awilson@oaktrust.org

Chief financial officer (CFO): Sarah Davis – sdavis@oaktrust.org

Director of School and People Development: Craig Brown – cbrown@oaktrust.org

HR Manager: Nicola Wall – nwall@oaktrust.org

Estates Manager: Paul Clarke – pclarke@oaktrust.org

Finance officer: Nirmal Kaur – nkaur@oaktrust.org

Finance officer: Sam Callaghan – SCallaghan@oaktrust.org

Governance Lead: Danielle Benyon-Payne – dbenyon-payne@oaktrust.org

Teaching and Learning Lead: Helen Lisseman – hlisseman@oaktrust.org

HR administrator: Gurpreet Sandhu – gsandhu@oaktrust.org

Data protection officer (DPO): John Walker – John.Walker@phplaw.co.uk

Our Committees

COMMITTEE NAME AND REMIT
<p>Finance, Audit and Risk</p> <p>Remit: to review all key finance, risk and audit matters. This Committee will receive monthly finance reports, internal and external audit reports and set an appropriate finance policy whilst taking into account latest releases of the Academies Financial Handbook. The Committee will meet at least 3 times per year and report into full Trust Board</p>
<p>Curriculum and Standards</p> <p>Remit: to review individual school performance. The Committee will meet at least 3 times per year and report into full Trust Board.</p>
<p>HR</p> <p>Remit: to review all key HR matters. The Committee will meet at least 3 times per year and report into full Trust Board.</p>

COMMITTEE NAME AND REMIT

Remunerations

Remit: to conduct annual performance appraisal of the CEO (and any special category staff), and to review all pay recommendations for Senior Management employees. The Committee will meet annually in order to make a recommendation to the full Trust Board.

Local Governing Bodies

To serve as a 'critical' friend to the school's leadership team, to challenge and support when appropriate.

Our core functions

You have joined a board that:

- provides strategic leadership and direction
- holds the executive leaders to account for the trust's educational outcomes for pupils
- oversees the trust's financial position and risk management and assures compliance with the Academies Financial Handbook
- seeks assurance that the trust meets its legal responsibilities for pupil and staff wellbeing

How trust boards discharge these duties is set out in the [Academy Trust Governance Guide](#), published by the Department of Education (DfE). Familiarise yourself with this guidance. To be an effective Trustee you need to work as part of a team and commit to learning and ongoing professional development. On appointment, it is useful to consolidate your understanding of the Trustee role by recapping on the competencies, principles, legal duties and liabilities it involves to provide a sound foundation for success. The Trust Governance Handbook will be provided by the Governance Professional and outlines Governance effectiveness and training in detail.

Understand the competencies required for good governance

Being an effective Trustee requires you to develop the knowledge, skills and behaviours required for good governance in the academy sector. These are explained in detail in the [Academy Trust Governance Guide](#). This is a useful model against which you can benchmark your development and impact.

Understand your legal duties and liabilities

The Trustee role on an academy trust board combines the duties and liabilities of a Company Director with those of a Charity Trustee for an unlisted charity. It is essential that you understand what this means for you in practice

Our code of conduct and the 7 Nolan principles of public life

Our code of conduct (see Governor Hub) aims to set and maintain standards of conduct that we expect all trustees to follow.

We aim to ensure that trustees carry out their role with honesty and integrity, and help us to ensure the schools in our trust are environments where everyone is safe, happy and treated with respect. We will follow these [principles](#) which apply to anyone who holds a public office:

- *Selflessness – we will act in the public interest*
- *Integrity – we will not act or take decisions to gain financial or other material benefits for ourselves, our family, or our friends. We will declare any conflict of interests*
- *Objectivity – we will act and take decisions impartially, fairly, and on merit. We will use the best evidence and avoid discrimination or bias*
- *Accountability – we understand that we are accountable to the public for our decisions and actions. To make sure of this, we will be scrutinised where necessary*
- *Openness – we will act and take decisions openly and transparently. We will not withhold information from the public unless there are clear and lawful reasons for doing so*
- *Honesty – we will be truthful*
- *Leadership – we will actively promote and support the above principles and will challenge poor behaviour wherever it happens*

Essential reading

[Academy Trust Governance Guide](#)

[Nolan Principles](#)

[Being a Company Director](#)

[The Essential Trustee](#)

[Key Abbreviations](#)

Understanding the trust

Providing effective strategic leadership requires a good understanding of the key characteristics of your trust, its impact and the key themes of national education policy.

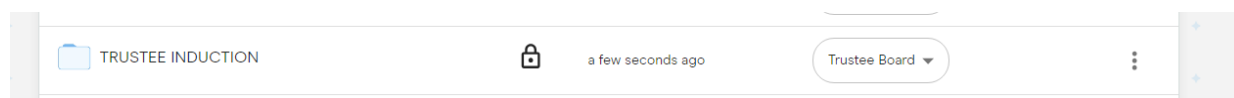
Understanding trust fundamentals

As part of your induction, you will receive access to some core information about the trust that convey its ethos, strategy, performance and news. These will include:

- [Values and ethos](#)
- [Articles of Association](#)
- [Annual report or governance statement and accounts](#)
- Progress and attainment data on each school in the trust (each school website)
- Audit report and risk register * (see Governor Hub)
- [Trust Scheme of Delegation](#)
- [Trust Governance Handbook](#)

Reviewing this information will give you a good sense the trust's current performance and future aspirations and challenges. It will also form a helpful basis for your initial conversations with key people in the trust, shaping the questions that you will want to ask.

A folder has been set up on Governor Hub which will allow you to access all relevant documents: [GovernorHub](#)



Understanding academy trust data

It is important to understand the evidence base that performance data on pupil attainment and progress in schools in your trust is derived from, and how it is collected, quality assured and monitored. It is the role of the trust's senior leaders to ensure that all board members are aware of pupil performance so that there is a clear understanding of what the trust's priorities are and how they are being met. This is done via the Curriculum and Standards Committee, the function of which is to enable scrutiny work on pupil data, though all board members must have a shared understanding of the strengths and areas for improvement in their trust. The Education and Skills Funding Agency guide to understanding data is a useful starting point for identifying the measures that your trust uses. The Director of School and People Development will work with new members of the Curriculum and Standards Committee to gain a better understanding of data.

Essential reading

[Understanding your data: a guide for school governors and academy trustees](#)

Understanding Funding

Academies are funded by the Education and Skills Funding Agency (ESFA), part of the DfE, rather than by local authorities. Each trust has its own funding agreement. This is a contract between the trust and the Secretary of State which sets out the obligations the trust must meet to secure its core funding, known as the General Annual Grant (GAG). ESFA is accountable for the funding that it provides and regulates the trusts in receipt of its funds. It has the power to intervene when there is risk of failure or evidence of financial mismanagement. Academy boards have a significant responsibility for overseeing their trust's financial management. The framework for financial management and control is set out by ESFA in the [Academies Financial Handbook](#). This is essential reading for all board members as financial scrutiny is not just a matter for the finance committee. The board has collective responsibility for overseeing the trust's financial position and seeking assurance that public money is being well spent. The [Academies Financial Handbook](#) provides information about the management of risk and maintenance of risk registers. It also signposts tools and resources to help trusts to put the framework into action. Trusts must comply with the provisions of the Handbook as a requirement of their funding agreement so it is important that you are aware of its key provisions and have it as a go-to reference. All trusts are required to have an audit and risk committee.

Integrated curriculum and financial planning

A strong financial plan means more of the budget can be invested in the classroom. The trust board's role is to scrutinise and challenge their Executive's plans to make sure that they are

effective and secure the best value for money. One way to ensure this is integrating curriculum and financial planning – known as ICFP. This is a management process that helps trusts plan the best curriculum for their pupils with the funding that they have available. It involves measuring the current curriculum, staffing structure and finances and using the data to create a three-five year plan.

Essential reading

[Academies Financial Handbook](#)

[Glossary of Academy Funding Terms](#)

[Integrated curriculum and financial planning \(ICFP\)](#)

Understanding Staffing

One of the responsibilities of the trust board is to ensure that the organisation has the right staff who are managed and incentivised to perform to the best of their abilities.

The HR and Remunerations committee(s) oversee reviews of pay and conditions and performance management policy. However, the whole board should be cognisant of how performance management is used through the trust to achieve strategic goals and priorities and how this links to the criteria for pay, progression and workforce development. It is also important for the board to be in touch with staff needs, well-being and perceptions of working in the trust via a staff engagement programme.

The Wider Educational Context

Tuning into the wider sector It is important for Trustees to understand the wider context for the trust and the drivers for some aspects of its work by tuning into reliable information sources about education policy. This might include setting up alerts for information on the latest thinking from the Department of Education, the Education and Skills Funding Agency, the Regional Schools Commissioner, and Ofsted, the schools' inspectorate.

It is also useful to register for updates from specialist bodies dedicated to supporting trusts and governance in England. The trust currently subscribes to:

- Confederation of School Trusts, the national organisation for school trusts
- The Key, a knowledge and tools service for school and trust leaders
- National Governance Association, the membership organisation for governors, trustees and clerks

Your Governance Professional will register you for these bodies upon your appointment, and you will receive registration links to your new Oak email address.

Understanding the structure and board procedures

[Articles of Association](#)

Our [articles of association](#) set out:

- The rights and responsibilities of our members and trustees
- What disqualifies members and trustees from our trust
- The proceedings of meetings and quorum

- Voting rights
- Elections for parent trustees and parent local governors
- Committee structures
- What the board of trustees can delegate

Scheme of Delegation

Our [scheme of delegation](#) sets out:

- Which committees will take decisions and carry out certain functions of the board of trustees
- Which responsibilities have been delegated to the local governing body of each academy in the trust

The remits of each committee and local governing body will be set out in its terms of reference.

Alongside the Articles of Association, and Scheme of Delegation, several key documents will develop your understanding of the governance framework for the trust. These are:

- The board and committee structure
- Board and committee membership
- Committee terms of reference

These documents can all be found in the Trustee Induction folder on Governor Hub, and as appendices in the Trust Governance Handbook.

Introduction to board processes

Your induction will also include:

- Gaining access to and training on Governor Hub*
- The board calendar of meetings and key events in the year, and an indication of when key activities such as budgeting and reporting take place
- Description of board procedures for sending out papers, meeting durations and locations*
- Code of conduct or ethics for board members*
- Guidance on how decision making is undertaken outside meetings*
- Information about training and development for Trustees and the board as a whole*
- Information about how the board evaluates and reports on its impact*

*All can be found in the Trust Governance Handbook.

Getting up to speed with the board's agenda

On Governor Hub, you will have access to past board minutes. Review them ahead of your first board meeting to get an insight into of the issues that the board is addressing and how these fall across an annual cycle. The minutes should also give you a sense of the scrutiny and challenge undertaken by board members and their level of engagement on key issues.

Induction Timetable

There is a significant volume of new and complex information to take in, alongside building new relationships and the dynamics of becoming part of a new, high-level team. There is no pressure to become an expert in all things governance! Take your time and the induction plan

is phased to avoid overloading you with everything at once. The order in which you engage with the different aspects of your new role will be determined to some extent by where the board is in its annual cycle when you join. The sample timeline below gives a broad sense of what you might want to achieve by key milestones in the induction process.

<p>First Priorities</p>	<ul style="list-style-type: none"> • Get the board calendar and key trust event dates in your diary • Governance Professional will arrange an OAK email address • Gain access to Governor Hub • Send ID to Governance Professional for DBS check and to register on Companies House • Familiarise yourself with the vision, strategy and recent developments • Statutory training (Safeguarding, Cyber Security, GDPR) • Confirm Declaration of Interests, Code of Conduct and KCSIE • Register for others portals such as Leicestershire Governor Development, NGA and the Key • Read Trust Governance Handbook
<p>Before the first Board meeting</p>	<ul style="list-style-type: none"> • Meet key trust personnel • CEO to arrange visits to schools • Read key papers, including minutes, articles, terms of reference, scheme of delegation, the current financial statement and last audit report • Understand the essentials of school performance • Read Academy Trust Governance Guide
<p>Before the second board meeting</p>	<p>Set up your information feeds to keep up with wider sector developments</p>
<p>Within 6 months</p>	<ul style="list-style-type: none"> • Complete your initial training and create an ongoing development plan that reflects the areas skills and knowledge that you want to develop as a Trustee • Continue to meet and engage with wider members of the trust • Join CST community for Trustees; start building your network of Trustees in other trusts to benefit from and be part of wider 'system learning'

Onboarding and Induction Process: Step by Step

1. The Governance Professional to the Board will contact you in the first instance with your

appointment letter and this onboarding pack. They will ask you to bring in identification (passport/driving license and proof of address).

2. DBS – an email will be generated and sent to you from an external system once a new DBS application is created, unless you are already a member of the DBS update system. Please follow the instructions on the email to complete your DBS application.

3. Once your DBS check is complete, the admin lead will contact you to provide/request the following:

- ID photo for your ID badge
- OAK IT set up
- Information about the Governor Hub system
- Training Resources: NGA membership (including the Learning Link), the Key and the Leicestershire Governor Development Service. See Appendix 2.
- You will be sent a link to statutory Safeguarding Training
- Relevant meetings shall be populated into the individual's OAK calendar.

4. The CEO of the Trust will arrange to meet with you and you will have the opportunity to visit the schools with him.

Governor Hub

Governor Hub is an online storage platform and tool that's designed specifically for governing boards where we share agendas and associated documents, news, training options and other communication. You will be registered for Governor Hub once your new IT account (see below) is set up.

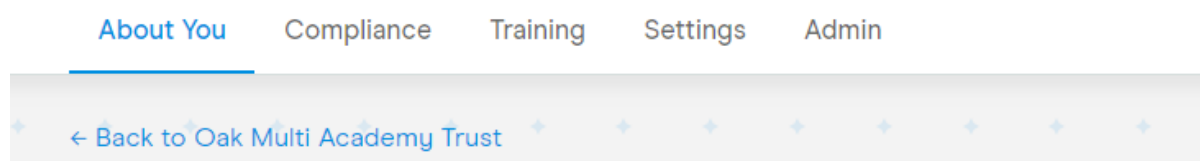
Declaration of Interests

The Board of Trustees and individuals at all levels of Trust governance have a responsibility to act impartially and avoid any conflict between their business and personal interests and those of the individual academy and Trust as a whole. There is a legal duty on all those involved in Trust governance to declare an interest likely to lead to questions of bias when considering any item of business at a meeting and for the individual concerned to withdraw, if necessary, whilst the matter is considered.

To help put this duty into practice, the Trust is required to establish and maintain a register of interests. This should include, if appropriate, the company by whom Trustees, Members, local governors etc. are employed and directorships, significant shareholdings or other appointments of influence within a business or other organisation which may have dealings with the academy or Trust. When completing the declaration of interests form you should include your own interest and those of any member of your immediate family (including partners) or other individuals known to you who may exert influence. This form should be completed on commencement of your role within the Trust and updated on an annual basis.

Compliance

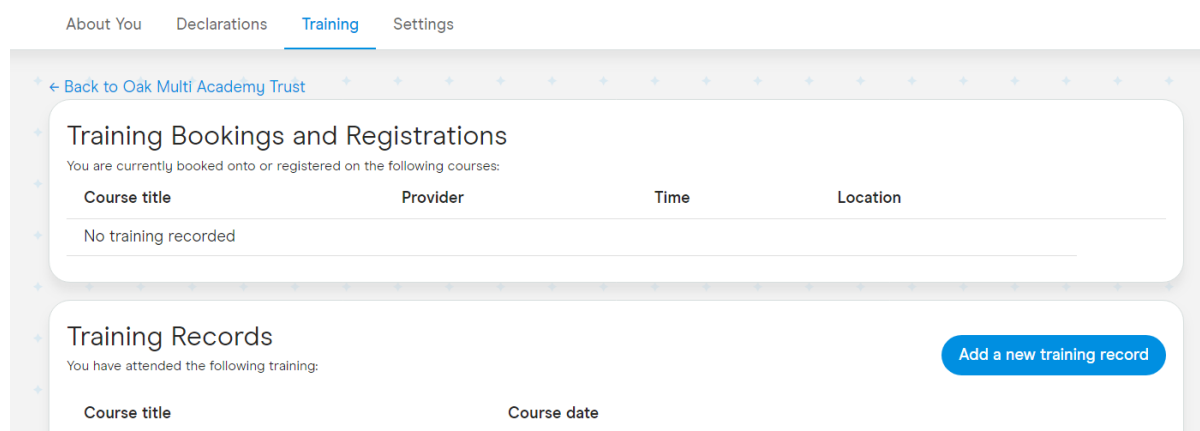
For Compliance, visit your profile on GH and find the Compliance tab, next to 'About You':



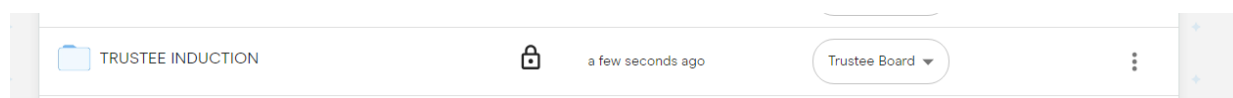
Here, you can add your interests and keep them up to date, and update your confirmations such as KCSIE, Safeguarding and GDPR. Please confirm these each year. They are pre-populated so you only need to click 'confirm'.

Training

Next to the 'Compliance' tab is the 'Training' tab. Here, you can record any training you undertake as Trustee.



In the Documents area of Governor Hub you will find an Induction for Trustees folder, which contains relevant information and guidance to start you on your journey.



IT Set Up

To comply with GDPR we provide all our Trustees with an OAK IT account. Your OAK email will be our primary mode of communication with you. Calendar invites for all Trust Board and Committee meetings will be sent to your OAK email address and we will share meeting agendas and supporting documentation via Governor Hub, on which your new email will be registered.

- In your web browser type in outlook.office365.com
- When prompted, enter in your OAK email
- When prompted again, enter your password
- You will be now logged into your OAK email account
- If you have an issues with your OAK account, please submit a ticket to the helpdesk: helpdesk@aitn.co.uk

In order to assist with data security, all Trustees are encouraged to use the OAK email address or school-based email address where possible, and to consider GDPR implications when accessing documentation and corresponding with others.

Once individuals have been provided with IT access, they are encouraged to test their access and report any issues to the Governance Lead before commencing mandatory training.

Statement of review

The Board of Trustees has agreed that this policy will be reviewed on a three yearly basis unless Government guidance or legislation forces an earlier revision. Any review will take into consideration all aspects of applicable legislation and advice current at the time of the review.

Appendix 1: New Trustee Checklist

Induction Procedure	Initial when complete
Welcome	
Welcome to the Board by the Chair	
Invited by the CEO/Chair to visit the academies	
Toured the academies and met staff and students	
Explanation of statutory responsibilities	
Forms for completion	
Completed identification process for DBS check	
Register with Governor Hub	
Completed Trustee Profile/Contact Details form/ on Hub	
Complete Declaration of Interests on Hub	
DfE Keeping Children Safe in Education – confirmation read Part 1 & 2	
Details of National Governance Association (NGA) login / Learning Link	
Details of Leicester Governor Support and Development login	
Trustee Code of Conduct	
Watch UK GDPR Training Video (*Appendix 3)	
Watch Cyber Security Training Video (*Appendix 4)	
Record UK GDPR training and Cyber Security training on Hub	
For information/reading	
Latest Ofsted reports	
Vision and Values of the Trust/background to academies	
Scheme of Delegation	
Academy Trust Governance Guide	
Trust Business Continuity Plan	
ESFA Academies Financial Handbook	
Trust Accounts	
Articles of Association	
Minutes of the last Board meeting	
Dates of future Trustees' meetings	
Contact details of Trust and other Trustees	
Policy documents relevant to committee membership and other relevant policies	
Risk Register	

Privacy Notice	
Organisation chart/staff list	
Calendar of events	

Appendix 2: Training opportunities

Where can I access training as a Governor / Trustee?

See below for sites specialising in specific training (safeguarding, SEN, Curriculum, Pupil Premium, and much more) and more generic governance training:

- Governor Hub / including Governor Hub Knowledge

[GovernorHub Knowledge \(thekeyssupport.com\)](https://thekeyssupport.com)

You will receive a registration link to Governor Hub once you become a governor. Your clerk will explain this as part of induction. Governor Hub is linked with the Key (see Knowledge tab) and this is a wealth of information including [training courses](#) and [learning pathways](#). They have some good induction bitesize courses for governors and trustees too. This training is recorded on Governor Hub when complete.

- Leicestershire Governor Development Service – all schools are members

[Leicestershire Traded Services](#) – log in and go to ‘resources’ tab for full training schedule

You should have been added to this when you joined as a governor; if you do not have access, please let your clerk know. You can also sign-up here: [New Account Request | Leicestershire Traded Services](#). Full brochure and guide on how to use the service are on Governor Hub in the training folder.

- NGA / Learning Link

As part of the LTS (above), schools and trustees also have access to the Learning Link: [Learning Link e-learning for school governors and trustees | National Governance Association \(nga.org.uk\)](#) with many excellent resources for specific and general areas of governance. You will need to register: [Registration - Enable \(vc-enable.co.uk\)](#) and choose your school (Trustees should choose Manor High). Once the NGA have confirmed, you will be able to log in. Any problems, let your clerk know.

Other sites

- Governors for schools – includes webinars, e-learning and news. Free.

[Online training and support for governors - Governors for Schools](#)

- CST (for Trustees)

[Login \(cstuk.org.uk\)](https://cstuk.org.uk)

The trust is a member; please contact the central team for the membership number to access courses specific to being a trustee in a MAT.

Introduction and Induction webinars:

[The first 100 days as a trustee - Governors for Schools](#)

[Induction for academy governors on local governing bodies | GovernorHub Knowledge \(thekeyssupport.com\)](#)

[Induction for academy trustees | GovernorHub Knowledge \(thekeyssupport.com\)](#)

[Welcome to Governance](#)

[Induction Training for new Governors](#)

Introduction to Governance webinar: [Introduction to governance webinar - Governors for Schools](#)

A free webinar to direct colleagues/friends/family/acquaintances to if they wish to find out more about the role.

If you know of anyone who would like to become a Trustee, or find out more about the role, this is a useful page to direct them to: [Academy trustees: who are they and what do they do? \(governorsforschools.org.uk\)](#)

For succession planning or Chair development

Various courses including:

[Leading Governance Development for Chairs | National Governance Association \(nga.org.uk\)](#)

[Learning Link Succession Planning](#)

[LTS Chairs' Forum](#)

[The Crucial Role of the Chair](#)

Appendix 3: UK GDPR Training

Training video

UK GDPR compliance requires the engagement and involvement of all school staff, LGBs and Trustees.

Ensuring that staff are aware what UK GDPR is, how it impacts on maintaining role, remaining vigilant and understanding their personal responsibility and obligations is essential. Training staff, governors and volunteers is recommended by our DPO to be undertaken on an annual basis.

The training provided by our DPO has been updated to provide a focus for the school workforce, including volunteers, and for trustees and governors. Each training is around 30 minutes, and the individual links can be shared or used for training at meetings, briefings, or inset days. It is vital that LGBs and Trustees are aware of the ongoing GDPR processes.

Keeping a record of attendees and ensuring that new staff, volunteers, governors, and trustees watch the videos and read the associated guides is a matter for each school or trust to arrange as part of the existing CPD monitoring process. For LGBs and Trustees, we ask that clerks plan for this training to be included in the agenda for the Autumn meeting on an annual basis.

The training video to be included is here:

[GDPR & Data Protection Training for Trustees and MAT Governors \(vimeo.com\)](#)

Appendix 3(i): UK GDPR Overview for Governors and Trustees

Data Protection –The Responsibilities of the Data Controller

Introduction

25 May 2018 saw the implementation of the General Data Protection Regulation (GDPR) and the implementation of the Data Protection Act 2018 (DPA). This was a reform of the previous Data Protection Act 1998. So much had changed that new legislation was required to provide more updated protections for individuals and a framework to manage technological developments.

Schools are classed as public authorities and have additional obligations, principally to appoint a suitable Data Protection Officer. Everyone in the school community needs to understand their obligations, responsibilities and rights.

This is an overview of key issues and concepts for schools and academies. It looks at what needs to happen, and gives an overview of who is who in this very jargon heavy world.

Following the media hysteria about GDPR, everything suddenly died away. However, the legal obligations that GDPR and the DPA place on schools has not changed. The ICO has begun to audit schools, there have been huge fines for some companies, BA and the ICO officers are taking a more forensic approach to complaints. GDPR compliance is also forming part of some internal audits, Ofsted inspectors asked for details on one occasion and some external auditors have queried compliance for annual reports.

Being on top of GDPR is an essential part of school management.

What is the GDPR?

This is a European Directive that is now part of the UK domestic legislation. Brexit will not change it.

What is the point of the GDPR?

The GDPR and new DPA exist to protect individuals' data. It is a series of safeguards for each of us. It is regulation designed to protect you, me and our families. In schools we handle data about children and adults every day. Some of that is very simple, a child's name on a book. Other information is far more sensitive, an EHCP for a child or an Occupational Health report for an adult for example.

Making sure that personal data is properly looked after is the whole point of the GDPR.

If it is shared without my permission or a legitimate purpose it could cause embarrassment, financial loss or have some other direct impact. If the data held is wrong or inaccurate it is important it is put right.

However, GDPR was never designed with schools in mind. The focus is on big business, international brands, banking and insurance sectors and government. The GDPR exists to protect individual rights in an increasingly digital world, and schools are caught up in this.

Who does it apply to?

Everyone, including schools. As Public Bodies schools have more obligations than some small businesses. It is mandatory to comply with the GDPR and proposed provisions in the new Act.

Do schools have to change all of their policies and procedures?

Schools are good at data protection, it is simply part of day to day school life. However, GDPR requires some reviews to be in place, it is necessary to take stock of what data is held. Being clear about what is collected, why it is collected, how it is used, stored and disposed of is at the core of good GDPR compliance.

Relations with those who process data on behalf of the controller should be GDPR compliant. New processes will need to be subject to a greater degree of scrutiny, a Data Privacy Impact Assessment.

Doing this will assist in compliance with the key principles.

What are the 6 key principles of the GDPR?

Lawfulness, transparency and fairness.

School's must have a legitimate reason to hold the data, and need to tell people what data school collects and how it is used.

Collect data for a specific purpose and use it for that purpose

So, data cannot be used for a purpose that it was not originally collected for, or where notice has not been given about how data may be used after collection.

Limited collection

Data controllers should only collect the minimum amount of data needed for a particular task or reason. If there is a breach or a hack only limited information can be lost.

Accuracy

Data collected should be accurate, and steps should be taken to check and confirm accuracy.

Retention

There must be a policy that requires data to be stored for limited periods of time about individuals. You should not store data for longer than you need it, or for historical archive reasons.

Security

Ensuring that physical, cloud and other electronic storage of data is secure is vitally important. Everyone has a responsibility for the data they hold and process. This also includes third party contractors.

What is Data?

Any information that relates to a living person that identifies them. This can be by name, address or phone number for example. It also relates to details about that person, which can include opinions.

Some data is considered to be more sensitive, and therefore more important to protect. This is information about racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, data concerning health or sex life and sexual orientation, genetic data, and biometric data where processed to uniquely identify a person.

Schools often collect sensitive data for DfE and LA requirements and of course pupil data may contain information about safeguarding, SEN or health needs. Information about other family members may also be on the school file.

Who is a 'Data Subject'?

Someone whose details we keep on file. Some details are more sensitive than others. The GDPR sets out which collection of details such as health conditions and ethnicity are more sensitive than names and phone numbers.

Essentially the whole of Data Protection exists to make sure that information held

about us is treated with proper care and respect.

Data Subjects' Rights

Schools must inform people about how they hold data, and also that individuals have a right to access it. This can be limited in some instances where child protection is involved, or if there are legal or contractual exemptions. Schools need to tell people how they can do this and explain the complaints policy.

If data is inaccurate, no longer needed or old and serves no purpose the data subject has a right to have the data amended or deleted.

Children's data is particularly sensitive, and children have a right to ask for certain data to be deleted – this really is linked to social media accounts but has implications for schools.

If there are pending or potential legal proceedings data must be preserved.

Who is a 'Data Controller'?

The organisation that is ultimately responsible for the data collected about the data subject. It will be the governing body or academy trust. It can also be the head depending on the school structure.

The Data Controller must be satisfied that suitable policies and procedures are in place.

The Data Controller must ensure that:-

Suitable Privacy Notices are in place

The Data Protection Policy is fit for purpose

In the event of a breach, suitable plans are in place to manage the breach and liaise with the Information Commissioner

There is awareness of the changes across the school workforce, and that staff understand their personal responsibilities and liabilities

The concept of 'Privacy by Design' or collecting only as much data is necessary for a task, is embedded in the school

A suitable Data Protection Officer is appointed

New processes are assessed using a Data Privacy Impact Assessment

Everyone can understand how their data is held, and how to request amendments or erasure is necessary

Enabling a Data Subject to complain is a simple procedure

Data is processed and categorised using one of the lawful criteria for processing

Whilst the Data Controller can delegate actions to their employees, responsibility sits with the Data Controller. In maintained schools it is the governing body, in academies it is the trust.

Article 5(2) states that

“the controller shall be responsible for, and be able to demonstrate, compliance with the principles.”

Who is a ‘Data Processor’?

This is a person or organisation that uses, collects, accesses or amends the data that the controller has collected or authorised to be collected on behalf of the data controller. It can be a third-party company, possibly a governor, a contractor or temporary employee. It can also be another organisation such as the police or the LA. Of course, staff in schools are processing data.

Data controllers must make sure that data processors are as careful about the data as the controller themselves. The GDPR places additional obligations on organisations to make sure that Data Controllers require contractual agreements to ensure that this is the case.

12 months is checking and confirming that these suppliers are compliant is important. Future supplies, or renewal of contracts, will need a DPIA in place.

Processing data

Schools must have a reason to process the data. The GDPR has 6 conditions for lawful processing, and processing must be within one of them to comply.

School has the consent of the Data Subject

It is necessary for the performance of a contract

It is necessary to comply with a legal obligation

It is required to protect the vital interests of the data subject, or another person

It is necessary for the performance of a task carried out in the public interest or the exercise of official authority

It is necessary for purposes of legitimate interests pursued by the controller or a third party (but not where the data subject’s rights override the controller)

Sensitive Data

Processing sensitive data in schools requires careful consideration. Gaining consent is required, unless there is another legal basis to do so, for example safeguarding or protection of vital interests.

Data Protection Officer

Every public authority, which includes schools, must have a Data Protection Officer.

The data protection officer shall have at least the following tasks:

to inform and advise the controller or the processor and the employees who carry out processing of their obligations under the GDPR

to monitor compliance with the GDPR and DPA

to provide advice where requested about the data protection impact assessment and monitor its performance

to cooperate with the supervisory authority and manage the breach procedure

to advise about training and CPD for the GDPR

should have expertise in national and European data protection laws and practices and an in depth understanding of the GDPR.

to support the rights of Data Subjects

The Data Protection Officer's details should be on the school website, Privacy Notices and in the Data Protection Policy.

Privacy by Design

The idea of the GDPR is that data should be carefully managed and curated. New processes should be subject to assessments. These are to consider risk and how this can be managed as part of the procurement process. This has an impact in classrooms and school offices.

Information Commissioner Office (ICO)

In the UK it is the ICO who has responsibility for safeguarding and enforcing the DPA obligations. The ICO has the power to issue fines, publish decisions and seek undertakings. The new Act proposes increases to the power of the ICO to fine, to bring prosecutions, order compensation and other sanctions.

Breaches

Breach preparation is key. Breaches happen as a result of human error. They are rarely deliberate (unless planned criminal activity) more likely to be as a result of forgetfulness or mistake. An email sent to the wrong person is the most frequent source of a breach.

The GDPR requires certain breaches to be notified to the ICO within 72 hours. In some cases 72 hours will not be long enough to complete the investigation. A key part of the response must be risk assessment of the data that has been lost and the planned remedial action to be taken as a consequence of the breach.

The Data Controller will need to have confidence that these can be handled, and reported back to the controller as necessary. Many breaches are internal action only, the more serious are reported to the ICO. Advice from the DPO is important to manage the process effectively.

Sanctions

New powers and sanctions apply – up to 20 million euros or 4% of global turnover in fines. Although no school has yet been given a financial penalty. It is now possible for individuals to seek compensation is new with the GDPR.

Criminal offences for reckless or deliberate breaches can affect every single one of us. The message must be that from a personal point of view the GDPR is that everyone who interacts with data is potentially culpable. Reckless loss of data can include leaving a file open for others to view it, it could be inadequate security measures. Reckless has a wide scope and the Data Controller has a responsibility to take measures, failure to do so could also be considered reckless.

Safeguarding

GDPR does not, at all, ever, prevent information sharing to protect children and/or vulnerable adults. Schools have statutory and other obligations to ensure that children are protected. Serious case reviews often point to the lack of good information sharing as a feature of child deaths.

Understanding that there is a process to be followed and mechanisms to ensure that

data is shared appropriately need to be in place.

If in doubt the matter should be referred to the Designated Safeguarding Lead, the DPO and the local authority protection teams.

What is required?

The guidance from the ICO is clear. Understand and know your data. Mapping is a tedious, time consuming but vital task. Schools must ensure that they understand their data and how it is to be collected, used, stored and destroyed. Without that knowledge there cannot be good GDPR compliance.

Every school has to have a Data Protection Policy that reflects the GDPR requirements. This will be on the website and will explain in more detail obligations and how the school will meet these.

Every school should have a person who is designated to be responsible for data protection compliance, and to have a Data Protection Officer (who may be within school or outsourced).

IT security is a key element of data protection and an acceptable use policy, IT policy or similar is likely to be in place also. Compliance is likely to be mandatory and will include things such as not using a personal email address, only using encrypted mobile devices and the process for locking a computer if away from the desk.

The more information on the website, the better.

IT and Information Security

Many processes used on a daily basis in schools use IT. Whether this is emails, progress tracking, attendance management, cashless payments or many, many more examples.

Making sure that the IT systems, levels of access and protective measures are suitable is the responsibility of the Data Controller, but in practice will be delegated to operational leads to check and secure the outcomes.

Checking firewalls, server security and the location of and protection of back ups will be important elements of this strategy.

The Data Controller must be satisfied that effective IT security is in place, that it is well managed and up to date.

Encryption

The Information Commissioner has issued a number of notices and guidance about how important encryption is –

'Encrypting data whilst it is being stored (eg on a laptop, mobile, USB or back-up media, databases and file servers) provides effective protection against unauthorised or unlawful processing. It is especially effective to protect data against unauthorised access if the device storing the encrypted data is lost or stolen.' ICO

If a laptop that is encrypted is stolen, the chance of a data breach will be minimal, if a laptop with a password is stolen the likelihood of a data breach is very high. Encryption can also be applied to tablets, ipads, smart phones and memory sticks. The Data Controller must be satisfied about how mobile devices are protected. What is the school policy about personal devices? How does that fit with good GDPR?

Email

Email is not a secure form of messaging. It has been said that an email has as much security as a postcard.

Sending sensitive data by email must be done in a secure way. That might include password protected word, excel or pdf documents. It might include getting parental consent to use email for more sensitive correspondence, or finding an alternative by sending an email with a securely controlled attachment.

Personal emails should not be used for school business, and that includes governors and trustees emails too. A Subject Access Request can be applied to personal accounts in some cases.

Staff, Parent's and Pupils Rights to view Data

Unless there is a reason to refuse that is linked to legal confidentiality, safeguarding the child or another person, a contractual or regulatory reason the basic position is that all data should be disclosed on request.

A 'Subject Access Request' (SAR) process should be in place. It should be clear and if any parents want information about their child, or themselves, that is more than the usual round of parent's evening and reports, then they should be directed to the process on the website. Any request made to you should be directed to the in school person responsible for dealing with a SAR.

Each request must be considered on a case by case basis.

The school must have a process to manage the request and the timeline to comply. The Data Controller is obliged to comply with the timeline, and be satisfied that those acting on its behalf have a clear understanding of what needs to be done.

Subject Access Requests have increased over the last 12 months. Some have been easy to manage, some have involved hundreds and thousands of emails. One has

been in excess of 100,000 emails. The resources to manage the scale of these requests can be very significant. Having a process to destroy emails, unless they are required, is very important.

Overview

All schools have sensitive data, and it is used in classrooms and in the office. When an individual uses, accesses, collects or edits that data they are responsible for ensuring the security of the data. Getting consent to use the data is a very important factor, but schools can share data with other professionals to safeguard children and help detect crime. Every time we are asked to share data we need to know what is the lawful basis for doing so, and if in doubt check, with a line manager or with a lawyer.

Keeping data safe is an obligation on the school and the individual. Schools must make sure they have suitable processes, effective policies and the right support for staff. Staff must make sure they understand their obligations and need to comply.

If there is ever a breach, then working together will be the best way to put it right, learn the lessons and move forward.

As the Data Controller, governing boards and trustees have a direct legal obligation to ensure that suitable policies, procedures and measures are in place.

What do schools need to do?

Preparing to be GDPR compliant requires schools to undertake several steps. Implementation is rapidly approaching and taking a planned, considered approach will enable compliance. Preparing for GDPR compliance will involve everyone in school to some degree. It cannot sit on one person's desk. Lead individuals need to be identified.

Across the school workforce it is likely that everyone will need to take a look at their own practice and workspace.

To give an overview and a sense of the scale of the task, this is a summary of what each school needs to consider.

Everything starts with a full Data Protection, which should include: -

- Data mapping – a record of data collected and how it is stored, used and retained

- Reasons for processing data – a system review to look at consent and the other reasons why school holds and processes data.
- Policy review – not a full-scale review of every policy, but checking policies that require school to share information with 3rd parties that this is GDPR compliant. It might be as simple as adding an extra line to refer to GDPR.
- Training & Awareness in the school community – all staff, volunteers, trustees and governors
- Third party contract review
- Staff contracts and HR compliance
- Development of Data Privacy Impact Assessments – Privacy by Design
- Appointment and remit of the Data Protection Officer
- Role and responsibility
- Breach preparation
- Devise and agree a suitable compliance timeline – with regular reviews and updates

Appendix 4 – Cyber Security Training

Cyber-attacks are no less frequent or less severe in education. In fact, they seem to be gaining ground in prevalence year on year as instances of breaches in schools and higher education are widely reported. Not only does this have the potential to affect the finances or running of the school, but can also impact the privacy of the pupils themselves and the school's reputation. Therefore, Cyber security is part of the wider DfE guidelines for IT security and training is required to adhere to insurance requirements.

OU IT support provider is responsible for securing our systems and ensuring basic protection from cyber-attacks. However, no technological solution is 100% effective. Often the best defence is staff who are aware of the main cyber risks and threats to a school. School staff can be a crucial part of a schools' cyber defences by following some key cyber security steps. As a result, it is vital that new staff undertake cyber security training at their earliest convenience. The training video can be viewed here: [Cyber security training for school staff - NCSC.GOV.UK](#)