

Chorus Education Trust

Privacy notice for Suppliers of Goods and Services

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Version number:	3.0
Date of original trustee/executive team ratification:	March 2021
Date last reviewed:	October 2025
Date next review due:	October 2026
Name and job title of author	Toby Wilson (DPO)
Target audience:	Suppliers
Related documents	Trust Record Retention Schedule, Privacy Notice for Visitors



Version control

Version	Section	Amendments	Date Ratified:	Author
1.0	Whole	-	March 2018	Toby Wilson DPO
1.1		No changes	March 2019	Toby Wilson DPO
1.2	Throughout	Minor structural tweaks	March 2021	Toby Wilson DPO
1.3	Throughout	Minor structural tweaks	March 2023	Toby Wilson DPO
2.0	Section 7	Addition of AI sub-section	March 2024	Toby Wilson DPO
3.0	Throughout	Re-write	November 2025	Toby Wilson DPO
	Section 2	Minor change of naming convention to encompass all LA services		
	Section 3	Additional detail on why and how we use data, including new section on filtering and monitoring		
	Section 6	Additional detail regarding data storage and sharing with 3 rd parties		
	Section 7	Additional section regarding sharing data with the DfE		
	Section 8	Additional clarification added to existing rights		
		Additional rights exemplified: deletion, access and correction		
	Section 9	More detailed complaints process with timescales		

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1. Introduction

Under data protection law, individuals have a right to be informed about how our trust uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **suppliers of goods and services that the trust contracts with, including their individual representatives, employees and agents**. References to "you" in this privacy notice cover all of these individuals.

Our trust, **Chorus Education Trust**, is the 'data controller' for the purposes of data protection law.

Our data protection officer is **EduDataPro** (see 'Contact us' below).

2. The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Names, characteristics and contact details and other individuals employed by you or working on your behalf who we liaise with, and who are carrying out duties under your contract with us
- References, CVs and details of an individual's employment history, if collected as part of a bidding, tendering or engagement process
- Bank details and other financial information where it relates to an individual, such as if you're operating as a sole trader
- Any other personal information necessary to fulfil the terms of a contract we have with you

If our contract with you requires you to visit or carry out any work at the school site, we may also collect, use and store:

- Information relating to visits to the school, e.g. the individual's company or organisation name, arrival and departure time, car number plate
- Photographs for identification purposes
- CCTV images captured in school

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to:

- Information about any access arrangements that may be required
- Disclosure and Barring Service information
- We may also hold data about you that we have received from other organisations, including other schools and local authorities.

Our ***privacy notice for visitors*** to the school will also apply, this is available on the trust website.

3. Why we use this data

We use the data listed above to:

- a. Decide whether to engage you
- b. Fulfil the terms of our contract with you, including payment
- c. Keep accurate records of the suppliers that we use
- d. Identify you and your representatives, employees and agents while on the school site, and keep all individuals safe
- e. Keep pupils and staff safe while you or your representatives, employees or agents are on a school site
- f. Keep accurate records of visits to the school
- g. Make sure our information and communication systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely
- h. Meet legal requirements placed upon us

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations.

We will only use your personal information for the purposes for which we have collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

3.1 Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by selecting on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

3.2 Use of your personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

3.3 Use of your personal data for filtering and monitoring purposes

While you're in any of our trust's schools, we may monitor your use of our information and communication systems, equipment and facilities (e.g. school computers). We do this so that we can:

- Comply with health and safety and other legal obligations
- Comply with our policies (e.g. child protection policy, IT acceptable use policy) and our legal obligations
- Keep our network and devices safe from unauthorised access, and prevent malicious software from harming our network(s)

4. Our lawful basis for using this data

Our lawful bases for processing your personal data for the purposes listed in section 3 above are as follows:

- **Contract (GDPR Art6(1)b):** the processing is necessary to fulfil a contract we have entered into you.
- **Legal obligation (GDPR Art6(1)c):** the processing is necessary for you to comply with the law (not including contractual obligations). We need to process data to meet our responsibilities under law as set out here:
<https://www.gov.uk/government/collections/statutory-guidance-schools>
An example of this is 'safeguarding children and young people'
- **Public task (GDPR Art6(1)e):** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law. Operating and managing an academy or trust is considered a 'task in the public interest'. Further details are available here:
<https://www.gov.uk/government/collections/statutory-guidance-schools>
- We have requested your **consent** to use it in a certain way

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

4.1 Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit **consent** to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to **employment**, social security or social protection law
- We need to protect an individual's **vital interests** (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made **manifestly public** by you
- We need to process it for the establishment, exercise or defence of **legal** claims
- We need to process it for reasons of **substantial public interest** as defined in legislation
- We need to process it for **health or social care** purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for **public health** reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical **research** purposes, or for statistical purposes, and the processing is in the public interest

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 data protection law. Conditions include:

- We have obtained your consent to use it in a specific way

- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- 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

5. Collecting this data

While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals

6. How we store this data

We keep personal information about you while you work with our school. We may also keep it beyond your work with our school if this is necessary to comply with our legal requirements or to meet our regulatory requirements. Our [record retention schedule](#) sets out how long we keep information about suppliers.

To request a copy of our [record retention schedule](#), please contact us (see 'Contact us' below).

We have put in place appropriate security measures to prevent your personal information being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer have a legal requirement to retain it.

7. Who we share data with

We do not share information about you with any third party 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:

- The relevant local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- The Department for Education
- Our regulator, Ofsted
- Examining bodies

- Suppliers and service providers
- Our auditors
- Health authorities
- Health and social welfare organisations
- Police forces, courts, tribunals
- Other schools and trusts

7.1 Generative Artificial Intelligence (AI)

Employees of CET and students enrolled in CET schools will not enter any personal information or intellectual property that is not their own into generative AI tools whilst using CET computer systems or carrying out work for CET. Generative AI tools will not be used for making automated judgements regarding individuals.

8. Your rights

8.1 How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- Give you a description of it
- Tell you why we are holding it, how we are processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

8.2 Your other rights regarding your data

Under data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data where it is likely to cause, or is causing damage or distress
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected

- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office if you feel we have not used your information in the right way
- Claim compensation for damages caused by a breach of the data protection regulations

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

- Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task
- Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests
- Right to object to use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent

See information on types of lawful basis in section 4 of this privacy notice.

To exercise any of these rights, please contact us (see 'Contact us' below).

9. Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concerns about our data processing, please raise this with us in the first instance. You can make a complaint to us at any time by contacting info@chorustrust.org

When a data protection complaint is lodged with us, we will:

- Acknowledge the complaint within 30 days
- Take appropriate steps to investigate the complaint
- Inform the complainant of the outcome of the complaint without undue delay

Alternatively, you can make a complaint at any time to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

10. Contact us

Our data protection officer is:

EduDataPro dpo@edudatapro.com

However, our **Director of MIS** has day-to-day responsibility for data protection issues in our trust.

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact them:

info@chorustrust.org