



The Edinburgh Academy
Foundation

Development Data Privacy Policy

EDINBURGH ACADEMY FOUNDATION THE ACADEMICAL CLUB PRIVACY POLICY

Person Responsible: Bursar
**Policy approved: The Edinburgh
Academy Foundation Board**

Introduction

The privacy and data security of our alumni (Academicals), Friends and supporters is important. This policy specifically relates to personal data processed by the Edinburgh Academy Development & Alumni Relations Office through the Edinburgh Academy Foundation and The Academical Club in its function to foster a vibrant, engaged and supportive community. The Development & Alumni Relations Office is the department within The Edinburgh Academy with responsibility for charitable giving to the EAF, for events and for alumni relations. The Edinburgh Academy Development & Alumni Relations Office works in accordance with the School's Data Protection Policy which is available on the School's website. The Bursar is The Edinburgh Academy Data Controller.

This policy sets out how we use and process your data.

Data Protection Statement

We are committed to making sure that all our communications with you are both welcome and secure. All personal data is held and processed in accordance with the Data Protection Act 1998, with the Edinburgh Academy's Privacy Policy and other relevant legislation. Data will only be handled by staff that have received data protection training.

Personal data that we hold is stored on secure servers and access is restricted to those authorised to do so. Most of the information we hold will have been provided by you.

Personal data held and processed by the Development & Alumni Relations Office may include:

- Biographical information including your name, gender and date of birth;
- Your contact details and communication preferences;
- Your education history, both at School and after
- Your pupil clubs and societies while at EA
- Your employment details and professional associations
- Your interests and extra-curricular activities whilst at EA and after
- Your volunteering activity whilst at School and as an alumnus
- Your family and partner/spousal details
- Your relationships with fellow Academicals, donors and friends;
- Information you have publicly shared on social media;
- Your donation history
- Your attendance at EA, at EAF and Academical Club events.

Your data is used to support a range of activities for our Academicals and Friends. We are committed to ensuring that the ways in which we communicate with you are in accordance with your own wishes. These communications may include sending out School, Foundation or Academical Club publications and invitations to events and reunions. We may use digital tools to monitor the impact of these communications, using

email tracking to record when an email we send to you has been opened. Your data will not be disclosed to external organisations other than those acting as agents for the School. The School does not sell or share any of its data to third party organisations.

To ensure that our communications with you are relevant to you and to your interests, to better understand you as our supporter and to make appropriate requests for support we may use additional information such as location or indicators of affluence where available and legally obtained from external sources to help us. Depending on your privacy settings and interaction with us on social media sites or in person, we may also cross-check your data to ensure that it is robust and up to date.

The Edinburgh Academy, The Edinburgh Academy Foundation and the Academical Club commits to holding your data securely and treating it with sensitivity. We do not retain data any longer than is necessary for the purposes outlined above.

You have a right to request copies of the data that we hold about you and to ask us to stop processing your personal data at any time. We will retain data necessary for processing donations or registering you for an event, keeping a brief record of your constituent ID to ensure that no further processing occurs. We may amend this Privacy Policy from time to time. Any significant changes to either this Policy or the way we treat your data will be communicated via the Edinburgh Academy 'Support Us' website or by contacting you directly.

The Edinburgh Academy

Foundation Gift Acceptance Policy

1. The Edinburgh Academy Foundation

The Edinburgh Academy Foundation (“the EA Foundation”), a Scottish charitable organisation, registered SC027543 encourages the solicitation and acceptance of gifts for purposes that will help the EA Foundation to further and fulfil its mission. The object of the EA Foundation, as set out in the Memorandum of Association is:

‘the promotion and advancement of education of pupils of The Edinburgh Academy of 42 Henderson Row, Edinburgh and of any other educational establishment with whom The Edinburgh Academy may merge or amalgamate (‘the School’)

2. Purpose of this policy

On behalf of the Directors/Trustees (‘Trustees’) the EA Director of Development solicits gifts from individuals, corporations, and charitable trusts and foundations, to help further the objectives of the EA Foundation. This policy governs the acceptance of gifts by the Foundation and provide guidance to prospective donors and their advisers when contemplating and/or making gifts to the Foundation. The provision of this policy shall apply to all gifts offered to and/or received by the Foundation.

3. Use of advisers and enquiries of donors

3.1 The Foundation

The Trustees may seek legal or other advice in matters relating to the acceptance of gifts where they consider it appropriate to do so.

3.2 Donors

The Trustees and the EA Director of

Development are not responsible for the financial, tax or legal position of donors or of prospective donors in relation to their gifts. Donors or prospective donors must take such advice as they deem necessary and in no circumstances are they entitled to rely on guidance offered by the Trustees and/or the EA Director of Development, whether written or verbal, which can only ever be generic in nature.

To comply with money laundering and related legislation as this might apply from time to time the Trustees and/or the EA Director of Development might require donors and potential donors to provide reasonable proof of identity and, if necessary, furnish information as to the origin of the gift to be donated.

4. Restrictions on gifts

Subject to the provisions in 3.2 above, the EA Foundation will accept unrestricted gifts, and gifts for specific purposes, provided that such gifts are not inconsistent with its stated object, or wider purposes and priorities. The EA Foundation will not accept gifts that do not reflect the ethos and values of the School or are too restrictive in scope. Gifts that may be regarded as too restrictive are those that violate the terms of the Memorandum of Association, gifts that are too difficult to administer or gifts that are for purposes outside the wider aims of the EA Foundation. All final decisions on the restrictive nature of a gift, and its acceptance or refusal, shall be made by the Trustees, although efforts will always be made to establish if the reasonable wishes of donors can be respected.

5. Types of gifts and forms of gifts that are accepted

The following gifts are or may be acceptable (depending on restrictions):

- 5.1 Cash or equivalent up to £50
- 5.2 Tangible personal property
- 5.3 Shares
- 5.4 Real estate (property and land)
- 5.5 Bequests
- 5.6 Other gifts

Criteria for acceptance of gifts in 5.1–5.4 are listed in Appendix 1.

5.5 Bequests

The Trust will accept bequests for the benefit of the EA Foundation. The EA Foundation asks donors wishing to leave a bequest to execute an appropriate Codicil or include in their Will the suggested wording available in the legacy brochure or online <https://www.edinburghacademy.org.uk/Legacies>. The Trustees are also keen that such donors complete and return a pledge form so that they can keep accurate records of those who have made a provision in their Will or Codicil and such pledge form should be kept updated from time to time (e.g. if the size and/or conditions attaching to the bequest changes).

5.5 Other gifts

The acceptance of any other gifts not listed above will be discussed by the Trustees.

6. Reporting and reviewing

Reporting: The EA Foundation is audited every year and produces a formal report and financial statement which is available on request from the Director of Development or via OSCR.

Reviewing: This policy will be reviewed annually to include any new types of gifts that the Trust will accept and to ensure it complies with new legislation.

7. Approval

This policy has been reviewed and approved by the Trustees of the EA Foundation. The Trustees of the EA Foundation must approve any changes to, or deviations from, this policy.

Approved on the 19 day of February 2018 by:

Michael W. Gregson
Chairman
The Edinburgh Academy Foundation

APPENDIX

Criteria governing the acceptance of each type of gift:

5.1 Cash or equivalent

In order to comply with money laundering regulations, cash donations of over £50 will not be accepted. Cheques are accepted and should be made payable to 'The Edinburgh Academy Foundation'. The Foundation accepts payments by Direct Debit which can be made via a donation form or online at <https://www.edinburghacademy.org.uk/Giving-to-EAF>. All cash (or equivalent) gifts are processed by the Development Department on behalf of the EA Foundation and any such gifts should be sent to: The Edinburgh Academy Foundation, 42 Henderson Row, Edinburgh EH3 5BL

5.2 Shares

The Foundation can accept both publicly traded securities and closely held securities.

Publicly traded securities: Marketable securities may be accepted subject to completion of the necessary transfer formalities and the payment of any Stamp Duty. As a general rule, all marketable securities will be sold upon receipt unless otherwise directed by the Trustees acting on the advice of their appointed investment advisers. In some cases marketable securities may be restricted by applicable securities laws; in such instance the final determination on the acceptance of the restricted securities

will be made by the Trustees, acting on such advice as they deem to be necessary.

Closely held securities: Closely held securities, which include not only debt and equity positions in non-publicly traded companies but also interests in limited partnerships and limited liability companies, or other ownership forms, can be accepted subject to the approval of the Trustees. However, such gifts must be reviewed prior to acceptance to determine:

- There are no restrictions on the security that would prevent the Trust from ultimately converting those assets to cash.
- The security is marketable or likely to become marketable in due course (without imposing any undue costs, administrative or other burdens in the interim).
- The security will not generate any undesirable tax consequences for the Trust.

If potential problems are identified on an initial review of the security, further review and advice from suitable outside professionals may be sought before making a final decision on acceptance of the gift. The Trustees (acting on any necessary advice) will make the final determination on the acceptance of closely held securities. In the normal course of events every effort will be made to sell non-marketable securities as quickly as possible, unless professional advice is to hold the security or to defer its sale.

5.3 Tangible personal property

Tangible personal property includes art, furniture, books, School memorabilia, coin and stamp collections, jewellery, vehicles and any other personal property item owned by a donor. It excludes property and land (see 5.4). Trustees will examine a potential gift of tangible personal property for the item's financial value, its potential use by the Foundation and/or the School, any associated ongoing risks or costs to the Foundation and/or the School (e.g. insurance) and, if the item will not be used or kept, whether the item could be sold quickly and converted into cash.

5.4 Real estate (property and land)

Gifts of real estate may include gifts of developed property or undeveloped land. Prior to acceptance of gifts of real estate the EA Foundation shall require a structural survey or other similar review of the real estate to ensure that it offers no significant on-going financial or environmental risks or costs to the EA Foundation. The cost of such survey or review will generally be an expense of the donor. Prior to acceptance of the real estate, the gift will have to be approved by the Trustees acting on such advice as they deem to be necessary. Some criteria for acceptance of the real estate (but not an exhaustive list) are as follows:

- Is the real estate useful for the purposes of the Trust?
- Is the real estate marketable?
- Are there any restrictions, reservations, easements or other limitations associated with the real estate?
- Are there on-going costs, which may include insurance, taxes and mortgages associated with the real estate?
- Does the structural survey show that the real estate is in a reasonable state of repair and likely to remain so prior to disposal?

The Trustees may accept a remainder interest in a personal residence, farm, or vacation property subject to the provisions above. The donor or other occupants may continue to occupy the property for the duration of the stated life. On the death of the donor, the Trustees may use the property or convert it to cash at their absolute discretion.