

The Careers & Enterprise Company Enterprise Adviser Network

**Memorandum of Understanding (MoU) between
[INSERT SCHOOL/COLLEGE NAME] and Solihull Metropolitan Borough Council**

School/College

Organisation Name	
Registered Address	
Telephone/Email	
Named Contact	

Solihull Metropolitan Borough Council

Organisation Name	Solihull Metropolitan Borough Council
Registered Address	Council House, Manor Square, Solihull, B91 3QB
Telephone/Email	0121 704 8001
Named Contact	Leeanne Parker / Lucy Lewis

1. The Enterprise Adviser Network and Enterprise Coordinator

The purpose of the Enterprise Adviser Network is to create powerful, lasting connections between local businesses and the schools and colleges in their area.

The Enterprise Coordinator (EC) is offered to the school to support the work of the Enterprise Adviser (EA) and the Careers Leader – with the objective of helping the school to fully implement the DfE Careers Strategy and meet OfSTED expectations in regards to careers education, information, advice and guidance.

2. Commitments

Solihull Metropolitan Borough Council commits to:

- Provide support from an Enterprise Coordinator
- Match an Enterprise Adviser to the school/college
- Support the EA to work directly with the EC, the school's senior leadership and careers teams
- Support in the development and review of the strategy for employer engagement and careers and enterprise education
- Provide the school and EA with up-to-date local labour market information

- Provide examples of evidenced best practice and opportunities to share good practice
- Carry out Disclosure and Barring Service checks on the EA (and any other volunteers pertaining to this programme as required) and to renew this every 3 years
- Ensure that the EA abides by the Solihull Metropolitan Borough Council Code of Conduct (copy available upon request) and that they understand that the school's performance data as well as any pupil data should be protected and shall not be disclosed or retained except to the extent required by a mandatory provision of Data Protection Laws and Legislation
- Support the school in the completion of regular Compass assessments of performance against the Gatsby Benchmarks
- Support the school in implementing and evaluating their careers provision using Compass/Compass+

School/college commits to:

- Provide a nominated person from the Senior Leadership Team to work with the EC and EA on The Careers & Enterprise Company's Enterprise Advisor Network programme
- Conduct an initial diagnostic using Compass to identify what current activity works well and any gaps in provision
- Develop and/or adapt school strategy to embed careers education across the school
- Complete The Careers & Enterprise Company's Compass / Compass+ tool termly to enable the school Senior Leadership Team to track performance against the Gatsby Benchmarks
- Permit the sharing of the school/college's Compass/Compass+ data – when aggregated with at least 9 other schools or colleges – by the LEP/LA/CA and The Careers & Enterprise Company, for the purposes of demonstrating progress made across the Enterprise Adviser Network
- Commit to development of an action plan for careers education using The Careers & Enterprise Company's Tracker Tool, or Compass+ (currently available to mainstream schools, sixth forms, special schools, pupil referral units and alternative provision only) to be kept constantly up to date as directed by the school or college's Careers Leader, and to share completed plans with the Solihull Metropolitan Borough Council and The Careers & Enterprise Company.
- Attend and participate in network meetings (as agreed locally)
- Commit to the programme for a minimum of one academic year
- Share best practice and case studies with the LEP/LA/CA and The Careers & Enterprise Company
- Permit receipt of email information communication from Solihull Metropolitan Borough Council and The Careers & Enterprise Company
- Permit the school's/college's name to be listed as a member of the Enterprise Adviser Network or Careers Hubs (as applicable) in relevant documents or communications by the LEP/LA/CA and The Careers & Enterprise Company
- Offer honest feedback and review of the programme to support continuous improvement
- Act as a champion for the programme with other schools/colleges and businesses

3. Activity not within the programme scope

Solihull Metropolitan Borough Council will not:

- Deliver careers and enterprise programmes directly to students
- Disrupt existing external or school-based programmes that are working well
- Duplicate existing activity
- Charge for services

4. Amendments

Should any party wish to amend the content of this MoU, any proposed changes should be discussed and agreed in writing with the designated parties to this agreement, and Solihull Metropolitan Borough Council should communicate amendments with The Careers & Enterprise Company.

5. Breaches and issue resolution

Should any issue arise while this MoU is in place, then the initial approach should be an informal discussion to highlight the issue and reach a resolution. If for any reason no resolution can be found, then both parties must agree to an action promptly. If required, the MoU can be made invalid through notification in writing by either party.

If for any reason, both or either party continue to fail to abide by the commitments and/or resolve breach(es), then the MoU will become invalid through notification in writing.

6. Data protection

Data Protection Legislation: all applicable data protection and privacy legislation in force from time to time in the UK including the UK GDPR; the Data Protection Act 2018 (DPA 2018) (and regulations made thereunder); the Privacy and Electronic Communications Regulations 2003 (SI 2003/2426) as amended and all other legislation and regulatory requirements in force from time to time which apply to a party relating to the use of personal data and the guidance and codes of practice issued by the Information Commissioner or other relevant regulatory authority and applicable to a party.

Shared Personal Data: the personal data to be shared between the parties under this MoU.

UK GDPR: has the meaning given to it in section 3(10) (as supplemented by section 205(4)) of the Data Protection Act 2018.

Each party shall comply with the relevant obligations of the Data Protection Legislation and not cause the other to breach the Data Protection Legislation.

Each party shall:

- ensure that it has all necessary notices, consents (as required) and lawful bases in place to enable lawful transfer of any personal data to the other in relation to this MoU;
- process the Shared Personal Data only for the purposes of this MoU, as detailed in the Appendix (Data protection particulars);
- only provide Personal Data to each other in compliance with the Data Protection Legislation and as recorded in the Appendix (Data protection particulars);
- ensure that it has in place appropriate technical and organisational measures to protect against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

Each party shall assist the other in complying with all applicable requirements of the Data Protection Legislation. In particular, each party shall:

- promptly inform the other party about the receipt of any (a) data subject rights request, (b) a complaint from a data subject or other third party, or (c) communication from the Information Commissioner or any other governmental or regulatory body relating to any personal data processed under this MoU and provide the other party with reasonable assistance in complying with any such requests, complaints or communications;
- notify the other party without undue delay on becoming aware of any breach of the Data Protection Legislation (including any personal data breach) relating to the Shared Personal Data and assist the other in resolving any such breach.

The school/college shall ensure that its staff and, where relevant, students are aware that their personal data may be shared with the LEP/LA/CA and The Careers & Enterprise Company in relation to this arrangement. Information about how the LEP/LA/CA and The Careers & Enterprise Company process personal data can be found in the privacy policies on their websites. Any queries that any school/college staff or students have about their processing of their personal data by the Solihull Metropolitan Borough Council can be addressed to Leeanne Parker.

The parties affirm to understand the content of the MOU.

SCHOOL/COLLEGE REPRESENTATIVE

**Solihull Metropolitan Borough Council
REPRESENTATIVE**

Signature: _____

Signature: _____

Name: _____
Position: _____
Date: _____

Name: LEEANNE PARKER
Position: Skills Lead Officer
Date: 13/09/2021

THE CAREERS & ENTERPRISE COMPANY

Signature: 
Name: CLARE HUTCHINSON
Position: Director of Network
Date: 21st June 2021

APPENDIX: Data protection particulars

1. Schedule of Particulars

This **Error! Reference source not found.** sets out the data sharing particulars to be completed by the parties, acting reasonably and in good faith.

Description	Details
Designation of Parties	<p>The parties are independent controllers</p> <p>The parties acknowledge that they are both controllers for the purposes of the Data Protection Legislation in respect of:</p> <ul style="list-style-type: none"> • business contact details of the LA personnel for which the LA is controller, • business contact details of any school/college personnel for which the relevant school/college is the controller. <p>Notwithstanding the above, the parties acknowledge that in respect of some of the Shared Personal Data (in particular, any personal data relating to the Enterprise Advisers), the LA is acting as processor for and on behalf of The Careers & Enterprise Company to provide instructions and to manage the relationship with the school/college in relation to the provision of the Enterprise Adviser(s). Where that is the case, the LA is entering into clause 6 of this MoU on behalf of The Careers & Enterprise Company and The Careers & Enterprise Company shall take the benefit of clause 6 to the extent applicable.</p>
Nature and Permitted Purpose of the processing	<ul style="list-style-type: none"> • The Head Teacher / Careers Leader name and contact details will be entered by the LA onto The Careers & Enterprise Company's EAN Register • The Head Teacher / Careers Leader will be contacted from time to time by The Careers & Enterprise Company e.g. with relevant bulletins or updates or to be invited to relevant Communities of Practice • The Enterprise Coordinator will support the Careers Leader with completion of Compass but would only have visibility of

	<p>pupil data if they are seeing the Careers Leader’s screen (either in-person or remotely). This would be controlled by the Careers Leader.</p> <ul style="list-style-type: none"> • The Careers Leader should not share any copy of pupil personal data nor any pupil profile report with the Enterprise Coordinator. • The administration of this MoU and facilitating the provision of the Enterprise Coordinators, Enterprise Advisers and any associated roles and services
Duration of the processing	For the term of the MoU
Type of Personal Data	Name, contact details (including phone number, email address, postal address), gender, information relating to DBS vetting (including DBS status)
Categories of Data Subject	Enterprise Coordinators, Enterprise Advisers, Enterprise Advisers’ employers, school staff (including Head Teachers and Careers Leaders), LEP and The Careers & Enterprise Company personnel, other individuals involved in this MoU