

Data Protection Policy

Data Protection Policy	
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Policy prepared by	SLT
Policy Approved by	CEO – Judith Allen
Complaints Lead	Nick Preston – npreston@education-wise.org - 0117 379 0450
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Purpose

This policy sets out Educationwise's responsibilities under data protection law and how we ensure the personal data of learners, employers, staff, subcontractors, and stakeholders is handled securely and lawfully. Protecting personal data is an important part of safeguarding, maintaining trust, and ensuring accountability in the education and training services we provide.

Educationwise is registered with the Information Commissioner's Office (ICO), registration number ZA506544.

Data Protection Officer (DPO): Nick Preston – npreston@education-wise.org | 0117 379 0450. The DPO oversees compliance with data protection law and responds to all rights requests.

What Data May We Store About You?

As part of delivering apprenticeships, training courses, and commercial services, Educationwise may collect and store the following:

- **Learner Personal Information:** Name, date of birth, age, address, postcode, and contact details for enrolment, attendance, assessment, and support.
- **Learner Sensitive Information:** Race, ethnicity, religion, personal circumstances, health, or disabilities where needed to provide support or comply with safeguarding and equality duties.
- **Criminal Records Data:** Information on convictions or offences where necessary for safeguarding or legal obligations.
- **Employer and Business Contact Data:** Contact names, job titles, email addresses, phone numbers, and financial details used for apprenticeship contracts, commercial agreements, and ongoing communication.
- **Staff Data:** HR, payroll, and training records required for employment.
- **Website Data:** Limited data collected through cookies and analytics tools. For more detail, please refer to our **Cookies Policy**.

Sources of Personal Data

We collect data from:

- Learners and employers directly, during registration or communication.
- Employers, work placement providers, and the DfE as part of funding requirements.
- Parents, guardians, or carers (for under-18s or vulnerable learners).
- Schools and colleges for learners transitioning into programmes.

Processing Children's Data

Where we process data for learners under 18 or vulnerable adults, we apply safeguards such as:

- Strictly limiting access to those who need it for safeguarding, teaching, or administration.
- Obtaining parental or guardian consent where required.
- Providing privacy information in age-appropriate language.

Lawful Basis for Processing

We process data under the following lawful bases:

- **Legitimate Interest:** For administering and managing training and employment-related services.
- **Consent:** For marketing communications (names, emails). Consent is explicit and can be withdrawn at any time.
- **Legal Obligation:** For safeguarding, health and safety, equal opportunities monitoring, and other statutory requirements.

Data Protection Impact Assessments (DPIAs)

We carry out DPIAs where processing may pose a high risk, such as:

- Large-scale use of sensitive personal data.
- New technologies or systems.
- Significant changes to service delivery.

DPIAs assess necessity, risks, and mitigation measures. Where required, DPIAs will be shared with the ICO before processing begins.

Data Retention

- **Learner Data:** Retained for 6 years following completion of EPA, in line with DfE requirements.
- **Employer Data:** Retained for 6 years following contract completion, in line with contract law.
- **Employee Data:** Retained for as long as necessary for employment, as outlined in privacy notices.
- **Marketing Data:** Retained until consent is withdrawn.

Educationwise maintains a Record of Processing Activities (ROPA) detailing categories of data subjects, purposes, recipients, retention, and security. The ROPA is reviewed annually. When data is no longer required, it will be securely deleted or destroyed.

How Do We Store Your Data?

- Data is stored in secure systems (e.g. Maytas MIS, LMS, HR systems) with access restricted to authorised personnel.
- Encryption, password protection, and role-based access controls are applied.

Who Can Access Your Data?

Access is restricted to:

- **Tutors and Coaches:** For learner support.
- **Administrative Staff:** For enrolment, records, and compliance.
- **Managers/Leaders:** For quality and oversight.
- **Employer Engagement Staff:** For apprenticeship contracts, compliance, and communication with employers.

Data may also be shared with awarding bodies, the DfE, Ofsted, Ofqual, and other regulators, but only where required.

Data Subject Rights

Under UK GDPR, you have the right to:

- **Access:** Request a copy of your data (Subject Access Request, SAR).
- **Rectification:** Request corrections to inaccurate data.
- **Erasure:** Request deletion where data is no longer necessary.
- **Restriction:** Request limited processing in certain cases.
- **Objection:** Object to processing on legitimate grounds.
- **Portability:** Request your data in a portable format.

We will respond to SARs within **one month**, as required by law. In cases where requests are complex or numerous, this may be extended by up to **two further months**, but you will be informed of any extension within the first month. Requests can be made to info@education-wise.org.

Data Breach Reporting

If a breach poses a risk to individuals:

- We will notify the ICO within **72 hours**.
- Where there is high risk to individuals, we will notify those affected as soon as possible, explaining the breach and mitigation steps.

Third-Party Processors

Where we use third-party systems or processors (e.g. Maytas MIS, HR/payroll systems, cloud storage, LMS, subcontractors):

- Data Processing Agreements ensure compliance.
- Third parties must demonstrate adequate security measures.

International Data Transfers

Where personal data is transferred outside the UK/EEA, we apply safeguards such as Standard Contractual Clauses (SCCs), Binding Corporate Rules (BCRs), or adequacy decisions.

Accuracy of Personal Data

We aim to keep all data accurate and up to date. Learners, employers, and staff should notify us of changes in writing to info@education-wise.org.

Security Measures

- Encryption for data in transit and at rest.
- Password protection and access control.
- Regular staff training on data protection and information security, refreshed annually.

Processing Special Category and Criminal Records Data

Where such data is processed, we will:

- Obtain explicit consent where appropriate.
- Process data only where legally required (e.g. safeguarding, equal opportunities).
- Restrict access to essential staff only.

Automated Decision-Making and AI

Where AI or automated tools are used:

- Individuals will be informed.
- Meaningful information on logic and consequences will be provided.
- A right to human review will always be guaranteed.

Confidentiality

All employees and contractors must maintain confidentiality at all times. Breaches may be treated as gross misconduct and lead to disciplinary action.

Rights to Lodge a Complaint

If you believe your data rights have not been respected, you may:

- Contact the Complaints Lead (Nick Preston).
- Raise a complaint under the Educationwise Complaints Policy.
- Contact the ICO: www.ico.org.uk/global/contact-us/ or call **0303 123 1113**.

Review Cycle

This policy will be reviewed annually by the Senior Leadership Team and updated as required by legal, regulatory, or organisational changes. The CEO holds overall responsibility for this policy.