



ASPIRING MINDS TUITION

EDUCATION WELLBEING CREATIVE

GDPR AND DATA PROTECTION POLICY

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GDPR and Data Protection Policy

Contents

1. Purpose	3
2. Scope.....	3
3. Legal and Statutory Framework	3
4. Data Protection Principles	4
5. Lawful Basis for Processing Data.....	4
6. What Personal Data We Collect.....	5
7. Data for SEND Learners.....	5
8. Individual Data Rights	5
9. Data Sharing and Third Parties.....	6
10. Data Security Measures	6
11. Data Retention and Disposal.....	6
12. Data Breaches.....	6
13. Staff Training and Responsibilities	6
14. Monitoring and Review.....	7
15. Linked Policies	7
16. Contact and Complaints.....	7

1. Purpose

Aspiring Minds Tuition (AMT) is committed to ensuring personal data is handled lawfully, transparently and securely in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

Purpose of the Policy:

- To protect the privacy of individuals associated with AMT
- To ensure full compliance with data protection law
- To guide AMT in the responsible handling of all personal and sensitive data, including that related to safeguarding and SEND
- To demonstrate accountability and ethical leadership in all aspects of tuition delivery and support

2. Scope

This policy applies to:

- All staff (permanent, temporary, contractors and volunteers)
- All learners and parents/carers
- Any visitors, partners or service providers associated with AMT

3. Legal and Statutory Framework

This policy is underpinned by the following legislation and statutory guidance:

- **UK General Data Protection Regulation (UK GDPR)**
Sets out the core principles, rights and obligations for processing personal data in the UK.
<https://www.legislation.gov.uk/eur/2016/679/contents>
- **Data Protection Act 2018**
Supplements the UK GDPR by providing additional provisions specific to the UK, including education and safeguarding contexts.
<https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>
- **Education (Independent School Standards) Regulations 2014**
Applies to tuition centres offering regulated qualifications, including expectations for handling learner data securely.
<https://www.legislation.gov.uk/uksi/2014/3283/contents/made>
- **Children and Families Act 2014**
Sets out duties to protect the rights and data of children and young people with SEND.
<https://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>
- **SEND Code of Practice: 0 to 25 years (2015)**
Provides guidance on securely collecting, storing and sharing data related to SEND learners.
<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>
- **Keeping Children Safe in Education (KCSIE, 2024)**
Includes expectations around safeguarding records and the secure handling of personal information.

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

- **Working Together to Safeguard Children (2023)**
Offers clear guidance on lawful and proportionate information sharing to safeguard children.
<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
- **Information Commissioner's Office (ICO)**
Acts as the UK's independent authority to uphold information rights and provide guidance on data protection compliance.
<https://ico.org.uk/>

4. Data Protection Principles

AMT follows the core data protection principles:

1. Lawfulness, fairness and transparency
2. Purpose limitation – data is only used for stated purposes
3. Data minimisation – only relevant data is collected
4. Accuracy – data is kept up to date and corrected when necessary
5. Storage limitation – data is retained only as long as necessary
6. Integrity and confidentiality – data is kept secure
7. Accountability – AMT must be able to demonstrate compliance

These principles are required under Article 5 of the UK GDPR and form the foundation of lawful data processing.

5. Lawful Basis for Processing Data

Under Article 6 of the UK GDPR, AMT processes personal data using the following lawful bases:

- Consent – e.g. media permissions, recordings
- Contract – Service Level Agreement where applicable
- Legal obligation – safeguarding, SEND duties, taxation
- Vital interests – e.g. in an emergency
- Public task – where education services serve a public interest
- Legitimate interests – supporting learners and running the business, provided it does not override individual rights

SEND-related data may fall under special category data, requiring additional conditions under Article 9 of UK GDPR, such as explicit consent or processing for the provision of health or social care.

6. What Personal Data We Collect

For Learners (including SEND):

- Full name, date of birth, contact details
- Educational needs and attainment
- Education, Health and Care Plan (EHCP), other relevant learning plans, diagnosis or health-related information
- Safeguarding notes or concerns
- Attendance, progress, session recordings (if applicable)

For Parents/Carers:

- Name and contact details
- Communication history
- Payment information (where relevant)

For Staff:

- Name, address, emergency contacts
- DBS check details
- Qualifications and employment history
- Training and safeguarding certifications

7. Data for SEND Learners

In line with the Children and Families Act 2014 and SEND Code of Practice, AMT collects and processes SEND-related data in order to:

- Support the learner's learning effectively
- Collaborate with external agencies (e.g. local authorities, SENCOs)
- Fulfil any EHCP responsibilities
- Provide reasonable adjustments and tailored support

SEND data is considered special category data and must be processed under a lawful condition (e.g. health or educational need).

8. Individual Data Rights

All data subjects (including parents/carers and learners) have the right to:

- Be informed about data usage
- Access their data
- Request data corrections
- Request erasure (where lawful)
- Restrict or object to processing
- Request data portability
- Object to automated decision-making

Requests are responded to within 1 calendar month under ICO statutory guidance:
<https://ico.org.uk/for-the-public/>

9. Data Sharing and Third Parties

AMT only shares personal data when:

- Legally required to (e.g. safeguarding, court orders)
- Necessary for tuition delivery (e.g. with exam boards or learning platforms)
- Consent has been explicitly given

AMT signs Data Processing Agreements (DPAs) with any third-party suppliers.

10. Data Security Measures

We take the following steps to secure personal data:

- Use of password-protected devices and software
- End-to-end encrypted platforms (e.g. Microsoft TEAMS)
- Regular backups and virus protection
- Secure storage for physical documents
- Strict access controls, especially for SEND and safeguarding record

11. Data Retention and Disposal

Data Type	Retention Period
Learner records	7 years after last tuition date
SEND/EHCP information	Until learner is 25 (or 31 if in care)
Safeguarding records	Until age 25 or longer if advised
Staff records	7 years after leaving
DBS certificates	Max 6 months (reference data may be kept)

Source: Information and Records Management Society (IRMS) Toolkit for Schools

<https://irms.org.uk/page/SchoolsToolkit>

12. Data Breaches

AMT complies with Article 33 of the UK GDPR. Any breach of personal data is reported to the Data Protection Officer immediately. If the breach is likely to result in a high risk to individual rights, AMT must notify the ICO and affected individuals within 72 hours. Report a breach: <https://ico.org.uk/for-organisations/report-a-breach/>

13. Staff Training and Responsibilities

- All staff receive GDPR training annually
- SEND and safeguarding staff receive enhanced data training
- All staff/ and learners sign a Code of Conduct
- Data responsibilities are included in staff induction

14. Monitoring and Review

This policy is reviewed annually, or sooner if there are:

- Changes in the law
- New ICO or DfE guidance
- Changes to how AMT handles data

15. Linked Policies

This policy should be read in conjunction with the following AMT policies, which support the secure and lawful handling of personal data:

- **Safeguarding Policy**
Ensures sensitive information relating to learner welfare and protection is managed confidentially and in line with data protection law.
- **Reasonable Adjustments Policy**
Involves handling personal and potentially sensitive information to provide appropriate support for learners with SEND.
- **Equality, Diversity and Inclusion Policy**
Supports the fair and transparent processing of data to promote inclusive practice and eliminate discrimination.
- **Complaints Policy**
Outlines how personal information shared in complaints is processed, stored, and resolved securely and appropriately.
- **Staff Agreement: Code of Conduct**
Includes expectations for the responsible handling of learner and organisational data by staff members.
- **Learner Agreement: Code of Conduct**
Sets expectations for how learners interact with digital systems and respect the privacy of others' information.

16. Contact and Complaints

Data Protection Officer (DPO): Lucy Stephenson

Contact: info@aspiringmindstuition.co.uk

If you believe your data has been misused, you may also contact the ICO directly:

<https://ico.org.uk/make-a-complaint/>

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