



Data Protection Policy

Data Privacy and Protection Policy

Legal Framework and Authority

This policy ensures that Prime Tutors handles **personal information** properly and securely, adhering to the **Data Protection Act (DPA) 2018**. The DPA 2018 is the UK's legal implementation of the EU's **General Data Protection Regulation (GDPR)**, including necessary UK-specific exemptions.

The DPA 2018 governs how we handle or access people's personal data. It also includes separate data protection rules for law enforcement, extends privacy rules to national security and defence, and defines the powers of the **Information Commissioner's Office (ICO)**. **Part 2 of the DPA 2018** specifically supplements and tailors data protection for Prime Tutors, and this section is directly applicable to our operations.

This policy applies to all personal information, regardless of how it is used, recorded, or stored (e.g., paper files, electronically, photographs, video clips, or sound recordings).

Key Definitions

Term	Definition	Role at Prime Tutors
Data Subject	The individual who is the subject of the personal data.	Staff, current/past learners, job applicants, etc.
Data Controller	The entity that determines the purpose and means of processing personal data.	Prime Tutors (as a corporate body).
Data Processor	Anyone who processes personal data on behalf of the Data Controller.	Prime Tutors staff who enter sensitive information.

Data Protection Officer (DPO)	Responsible for advising on obligations, monitoring compliance, and advising on impact assessments.	Jennet Banfield info@primetutorsnottingham.co.uk
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Personal Data

This covers both facts and opinions that **identify an individual**.

- **Examples** (required for employment/learning): Staff names, addresses, salary payment details; Learner attendance records, session notes, and exam results.
- **Visual/Audio Data:** Also applies to data held in photos, video clips (including CCTV), or sound recordings.

Sensitive Personal Data (Special Category Data)

This includes data that could pose a **higher risk** to an individual's fundamental rights and freedoms (e.g., risk of unlawful discrimination).

- **Examples:** Medical information, gender, religion, race, ethnic background, sexual orientation, political opinions, genetics, biometrics, sex life, and trade union membership.

Data Principles and Processing

The Seven Data Protection Principles

Prime Tutors must adhere to the following principles when processing personal data:

1. **Lawfulness, Fairness, and Transparency:** Processed lawfully, fairly, and transparently. Lawful processing requires a legal basis, such as:
 - The data subject's **consent**.
 - Necessity for **contract performance** (e.g., employment).
 - Necessity for **legal obligation** compliance.
 - Necessity to protect the data subject's **vital interests**.
 - Necessity for a task carried out in the **public interest** or the exercise of official authority.
2. **Purpose Limitation:** Collected for **specified, explicit, and legitimate purposes** and not processed in an incompatible manner.
3. **Data Minimisation:** Adequate, relevant, and **limited to what is necessary** for the processing purpose.
4. **Accuracy:** Accurate and, when necessary, **kept up to date**.
5. **Storage Limitation:** Kept in a form that permits identification for **no longer than necessary**.

6. **Integrity and Confidentiality (Security):** Processed to ensure **appropriate security** of the personal data.

Data Sharing and Consent

Prime Tutors collects large amounts of data (staff records, marks, references, etc.) and may be legally required to share certain information with statutory bodies (LAs, government agencies).

- **Processing Basis:** Consent is generally required unless processing is necessary for the **performance of a contract** (e.g., employment). Otherwise, non-exempt personal data remains confidential and is only disclosed to third parties with appropriate consent.
- **Learner Consent:** Consent to process and disclose data to parents is **implicit once a learner turns 18**. If a learner wishes to revoke or change this, they must agree on a specific data processing agreement with a Data Processor.

Security, Rights, and Retention

Data Security

- All Prime Tutors data is stored on **secure, UK-based servers** that are DPA-compliant.
- Data Processors (staff who enter sensitive information) must ensure that all sensitive personal data is kept **under secure means** and managed according to the DPA.
- Prime Tutors is registered with the ICO (registration number **ZA310273**).

Data Retention and Deletion

- Prime Tutors will **archive** personal data where necessary for **law enforcement, statistical, or educational purposes**.
- All personal data stored on **Google Drive** is subject to archiving or deletion according to Prime Tutors' separate **Data Retention Policy**. Email data can have retention dates applied at the folder or individual email level.

Rights of Access (Subject Access Requests)

Data Subjects have the right to access the personal information Prime Tutors holds on them, subject to the DPA and the **Freedom of Information Act 2000**.

- **Requesting Access:** Requests must be made **in writing** to the Data Protection Officer (DPO).
- **Data Amendment/Correction:** Requests for amendments or corrections must be made **in writing** to the Data Processors, who will take appropriate rectifying action.
- **Timescale:** Prime Tutors will conduct a search within our management information systems and must comply with the request **within 1 month**. Any delay must be communicated to the individual before the 1-month deadline.

Compliance and Breach Management

Management Responsibilities

The **Managing Director and office staff** (as Data Controllers) are responsible for establishing workplace practices and policies that comply with the DPA.

Prime Tutors must:

- Properly manage and process personal data for all **students and employees** (past and present), including job applicants.
- Protect individuals' **right to privacy**.
- Provide individuals with **access** to their personal data upon request.
- Maintain a **liability insurance policy** to cover breaches and cyber security issues reported to the ICO.

Data Protection Impact Assessments (DPIAs) and Breaches

- **New Activities:** When introducing a new processing activity likely to result in a **high risk** to individuals' rights and freedoms, Prime Tutors will:
 - Create a **Data Sharing Agreement**.
 - Undertake a **Data Protection Impact Assessment (DPIA)** to identify and mitigate risks.
 - Seek guidance from the DPO, Jennet Banfield, if required.
- **Breach Reporting:** All breaches posing a risk to individuals' rights (as determined by the DPO) must be reported to the **Information Commissioner at the earliest opportunity**, and in any event **no later than 72 hours** from discovery.
- **Notification:** Where a breach represents a **high risk** to individuals, Prime Tutors will **notify all affected data subjects**.
- Third-party liability insurance is provided to cover these risks.