



## DATA PROTECTION POLICY

**Written:** October 2020

**Reviewed:** February 2022

**Next Review:** February 2023

# DATA PROTECTION POLICY

## Definitions

<b>ABC Primary Tutoring</b>	ABC Primary Tutoring Services is the trading name for sole trader Joanna Leggett- Independent Specialist Teacher
<b>GDPR</b>	means the General Data Protection Regulation.
<b>Responsible Person</b>	means Joanna Leggett is the person responsible for data protection.
<b>Register of Systems</b>	means a register of all systems or contexts in which personal data is processed by ABC Primary Tutoring

The Data Protection Act (2018) sets out in UK law the legal framework with which education settings and local authorities must comply when they process the personal data. It is based on the EU General Data Protection Regulation (GDPR). ABC Primary Tutoring carries out tuition both face-to-face and online. ABC Primary Tutoring is based in Colchester, Essex in the UK. ABC Primary Tutoring refers to the company as a whole; Joanna Leggett, the owner and current sole trader.

## Data protection principles

ABC Primary Tutoring is committed to processing data in accordance with its responsibilities under the GDPR.

Article 5 of the GDPR requires that personal data shall be:

- a. processed lawfully, fairly and in a transparent manner in relation to individuals;
- b. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
- f. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.”

## General provisions

- a. This policy applies to all personal data processed by ABC Primary Tutoring.
- b. The Responsible Person shall take responsibility for ABC Primary Tutoring's ongoing compliance with this policy.
- c. This policy shall be reviewed at least annually and updates also apply to the Privacy notice.
- d. ABC Primary Tutoring maintains current registration with the Information Commissioner's Office as an organisation that processes personal data.
- e. This policy should be read in conjunction with the Privacy Notice and Website Terms and Conditions, both of which are accessible through the website.

## 1. Our Contact Details

Name: Joanna Leggett

Website: [www.abcprimarytutoring.co.uk](http://www.abcprimarytutoring.co.uk)

Phone Number: 07958 079749

E-mail: [abcprimarytutoring@outlook.com](mailto:abcprimarytutoring@outlook.com)

## 2. The Type Of Personal Information We Collect

ABC Primary Tutoring currently collects and processes the following information:

- Personal identifiers, contacts and characteristics (name , contact details and address)
- Safeguarding information (such as professional involvement and court orders)
- Educational needs (such as any SEND provision, EHCPs)
- Behavioural information (such as any behaviour plans/needs, exclusions)
- Medical needs (such as child health, allergies, medication and dietary requirements)
- Attendance (such as attendance to sessions, absences and reasons for absence)
- Assessment information (such as levels attained, educational attainment)

## 3. How We Get The Personal Information And Why We Have It

Most of the personal information we process is provided to us directly by you or the local authority for one of the following reasons:

- To meet statutory duties placed upon us by Department of Education
- To enable us to contact you when needed.
- To support the learning of the students
- To monitor and report on student progress
- To monitor and report on student attendance
- To keep students safe
- The personal information about you is securely stored and may be shared with relevant parties where it is deemed absolutely necessary. This may include:
  - o The Local Education Authority (LEA)
  - o Department for Education (DfE)
  - o Social Welfare Services

Under Article 6 of the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing this information are:

(c) We have a legal obligation. The processing is necessary for the LEA and ultimately the DfE.

#### 4. How We Store Your Personal Information

Your information is securely stored in a password-protected electronic file. The information is kept for the duration of the tuition. Once the tuition has ceased, any relevant educational information will be securely passed to the new school (if applicable). Any copies of the information will then be securely destroyed. Statutory information on keeping and maintaining educational records: Keeping and maintaining records.

#### 5. Your Data Protection Rights

Under data protection law, you have rights including:

- **Your right of access** - You have the right to ask us for copies of your personal information.
- **Your right to rectification** - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- **Your right to erasure** - You have the right to ask us to erase your personal information in certain circumstances.
- **Your right to restriction of processing** - You have the right to ask us to restrict the processing of your personal information in certain circumstances.
- **Your right to object to processing** - You have the right to object to the processing of your personal information in certain circumstances.
- **Your right to data portability** - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.
- You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.
- Please contact us at [abcprimarytutoring@outlook.com](mailto:abcprimarytutoring@outlook.com) if you wish to make a request.

#### 6. How To Complain

If you have any concerns about our use of your personal information, you can make a complaint to us at [abcprimarytutoring@outlook.com](mailto:abcprimarytutoring@outlook.com)

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://ico.org.uk/>