

New Way Tuition

Data Protection and GDPR Policy

Policy Owner: Managing Director / DSL

Organisation: New Way Tuition

Applies to: All staff, tutors, contractors, and volunteers

Legislation: UK GDPR & Data Protection Act 2018

Version: 1.1

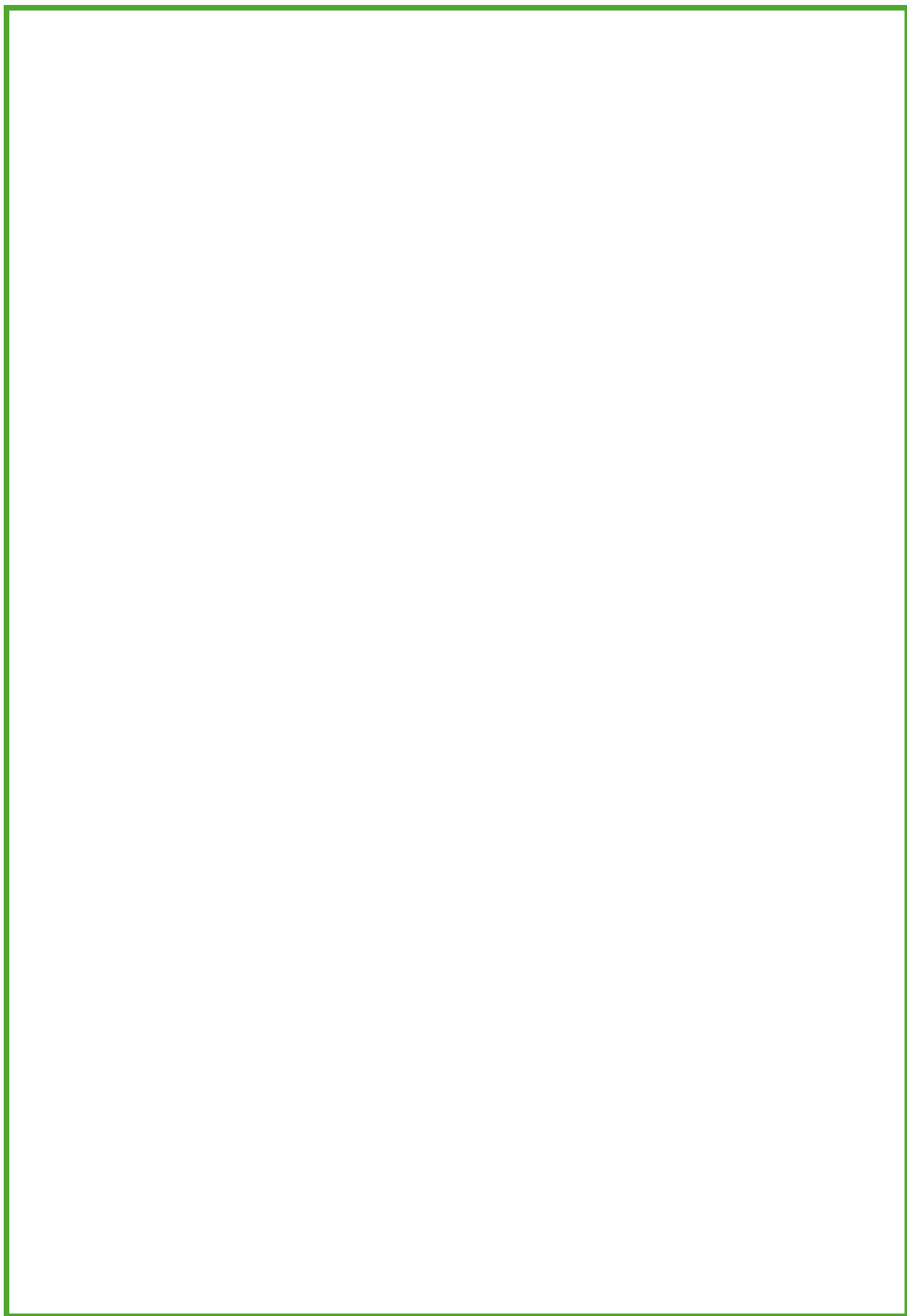
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Introduction

New Way Tuition is committed to protecting the privacy, dignity and confidentiality of all individuals whose personal data it processes.

As an Alternative Provision operating to standards consistent with the Independent School Standards Regulations (ISSR), New Way Tuition recognises that effective data protection is fundamental to:

- Safeguarding children and vulnerable individuals
- Maintaining public trust
- Meeting statutory duties
- Demonstrating governance and accountability

Accountability

New Way Tuition is committed to demonstrating accountability under UK GDPR by maintaining appropriate policies, procedures, staff training, audits, records of processing activities and regular monitoring of data protection compliance.

This policy explains how personal data is collected, processed, stored, shared, retained and securely disposed of in accordance with:

- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Keeping Children Safe in Education (KCSIE 2026)
- Independent School Standards Regulations
- DfE Data Protection in Schools Guidance

Legal Framework

This policy operates in accordance with:

- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Freedom of Information Act 2000
- Keeping Children Safe in Education (KCSIE 2026)
- Working Together to Safeguard Children
- Independent School Standards Regulations

- Privacy and Electronic Communications Regulations (PECR) 2003 (as amended) – where electronic communications and marketing are undertaken.
- ICO Data Sharing Code of Practice – for lawful and proportionate information sharing.
- ICO Age Appropriate Design Code – where online services or digital platforms are used by children.

Scope of the Policy

This policy applies to:

- Learners
- Parents and carers
- Employees
- Self-employed tutors
- Volunteers
- Referral partners
- Local Authorities
- Visitors

It covers all formats of data, including:

- Electronic systems
- Cloud platforms
- Email
- Paper records
- Recorded media
- CCTV

Definitions

Personal data refers to any information that can identify a living individual either directly or indirectly. This includes names, contact details, educational records, identification numbers, or online identifiers.

Special category data includes sensitive information such as:

- Health and medical information
- Special educational needs data
- Safeguarding and welfare records
- Ethnicity, religion, or beliefs
- Biometric information

This type of data requires enhanced legal protection.

Principles of Data Protection

New Way Tuition processes personal data in accordance with the fundamental principles of UK GDPR. Personal data is:

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality
- Accountability

Safeguarding considerations may override confidentiality where risk of harm exists.

Lawful Basis for Processing

Personal data is processed under lawful bases including legal obligations, contractual requirements, legitimate interests in delivering education, and protection of vital interests where safeguarding concerns arise.

Special category data is processed where necessary for safeguarding, education provision, health support, and statutory duties.

Responsibilities

New Way Tuition acts as a Data Controller and is responsible for ensuring compliance with data protection legislation.

The organisation will:

- Maintain secure data systems
- Provide staff training
- Monitor compliance
- Conduct regular audits
- Review data protection risks regularly.
- Ensure appropriate Data Protection Impact Assessments (DPIAs) are completed where required.
- Monitor compliance with retention schedules.

- Review third-party processor agreements annually.

All staff and contractors must:

- Handle data securely
- Access only information required for their role
- Maintain confidentiality
- Report breaches immediately

Failure to comply may result in disciplinary action.

Collection and Use of Personal Data

Personal data is collected only where necessary to support education provision, safeguarding, operational management, and legal obligations.

Examples include:

- Student personal and educational records
- EHCP and SEN documentation
- Safeguarding and welfare records
- Attendance and engagement data
- Staff employment and vetting records

Individuals are informed about data use through privacy notices.

Safeguarding and Information Sharing

Safeguarding considerations may override confidentiality where there is a risk of harm to a child or vulnerable individual.

Information may be shared with:

- Local authorities
- Social care services
- Schools and referral partners
- Health professionals
- Emergency services

All decisions are lawful, proportionate, and recorded. Safeguarding takes priority over confidentiality. Where a decision is made **not** to share information, the rationale will also be recorded and reviewed if circumstances change.

Data Security

New Way Tuition implements appropriate technical and organisational measures including:

- Encrypted systems
- Role-based access controls
- Password protection
- Two-factor authentication where possible
- Secure cloud storage
- Locked filing cabinets
- Staff confidentiality agreements

Access logs are periodically monitored.

Cyber Security

New Way Tuition will implement proportionate cyber security measures including:

- multi-factor authentication where appropriate;
- regular software updates;
- anti-malware protection;
- encrypted backups;
- password management;
- staff cyber awareness training.

Data Breaches

All data breaches must be reported immediately to the Data Protection Lead.

Where risk is identified:

- The ICO will be notified within 72 hours
- Individuals will be informed where necessary
- Investigations and corrective actions will be undertaken

Breach logs are maintained. Following every personal data breach, New Way Tuition will review the causes, identify lessons learned and implement actions to reduce the likelihood of recurrence.

Privacy Notices

New Way Tuition ensures that all individuals are informed about how their personal data is used through clear privacy notices.

Privacy notices are provided to:

- Students and parents/carers at referral or enrolment
- Staff and contractors during recruitment or onboarding
- External partners where relevant

Privacy notices explain:

- What data is collected
- Why it is collected (lawful basis)
- How long it is retained
- Who it may be shared with
- Individual rights under UK GDPR

Full details of individual rights are outlined in the Data Subject Rights section of this policy. Privacy notices are reviewed annually and are available upon request.

Data Protection Lead

New Way Tuition has appointed a Data Protection Lead responsible for overseeing compliance with data protection legislation.

The Data Protection Lead will:

- Monitor data protection compliance
- Provide advice on GDPR requirements
- Handle data breaches and subject access requests
- Act as the main contact for data protection queries

The Data Protection Lead will provide regular updates to the Senior Leadership Team regarding compliance, identified risks, breaches, audits and improvement actions.

Contact details:

Role: Mandy Ward -Managing Director / Data Protection Lead

Email: mandy@newwaytuition.co.uk

Subject Access Requests (SARs)

Individuals have the right to request access to their personal data under UK GDPR.

New Way Tuition will:

- Respond to requests within **one calendar month**

- Verify the identity of the requester before releasing information
- Provide data free of charge unless requests are excessive or repetitive
- Provide information in a secure format

Requests should be submitted in writing to the Data Protection Lead. Where requests are complex, individuals will be informed if the statutory response period is extended in accordance with UK GDPR.

Data Transfers & DPIAs

New Way Tuition primarily stores data within the UK or EEA.

Where cloud-based systems are used, appropriate safeguards are in place to ensure compliance with UK GDPR, including:

- Secure data processing agreements
- Approved international transfer mechanisms
- Encrypted storage and access controls

Data Retention and Disposal

New Way Tuition follows the IRMS Toolkit for Schools and applies retention periods consistent with Independent School Standards and safeguarding legislation.

Safeguarding considerations take precedence over standard retention periods.

Student Record Retention

Safeguarding & High-Risk Records

Record Type	Retention Period	Reason
Child Protection Files	DOB + 25 YEARS	Legal safeguarding protection
Safeguarding referrals	DOB + 25 YEARS	Child protection law
Risk assessments	DOB + 25 YEARS	Duty of care evidence
Behaviour incidents linked to safeguarding	DOB + 25 YEARS	Protection against claims
Welfare & mental health records	DOB + 25 YEARS	Safeguarding compliance
Medical risk plans	DOB + 25 YEARS	Duty of care
Multi-agency safeguarding records	DOB + 25 YEARS	Statutory safeguarding

SEN & EHCP Records

Record Type	Retention Period	Reason
EHCP documentation	DOB + 25 YEARS	Continuity of support
SEN support plans	DOB + 25 YEARS	

		Legal protection
Annual review reports	DOB + 25 YEARS	Safeguarding evidence
Specialist assessments	DOB + 25 YEARS	Support continuity

Educational Progress Records

Record Type	Retention Period	Reason
Baseline assessments	DOB + 25 YEARS	Educational accountability
Progress tracking data	DOB + 25 YEARS	Provision monitoring
Intervention plans	DOB + 25 YEARS	Support evidence
Provision maps	DOB + 25 YEARS	Funding accountability
Engagement monitoring records	DOB + 25 YEARS	Ofsted evidence

Online Lesson Recording Retention Table

Record Type	Retention Period	Reason
Date of lesson recording	60 days from recording date	Safeguarding review window and quality assurance
Recordings flagged for safeguarding concern	Until safeguarding case is resolved	Required for investigation, evidence, and DSL review
Recordings forming part of a safeguarding record	Child's DOB + 25 years	In line with safeguarding record retention requirements

Student Records Retention Schedule

Record Type	Retention Period	Reason
Pupil administrative records (including attendance records, pupil database information, reports, assessment data, contact details and general correspondence)	DOB + 25 YEARS	To comply with safeguarding best practice, potential legal claims, and education record retention guidance
Safeguarding records (where held separately from the main pupil file)	DOB + 25 YEARS	To ensure long-term availability of safeguarding evidence in line with statutory safeguarding expectations
Financial records relating to pupils (including funding evidence, invoices, payment records)	6 years from the end of the financial year in which the record was created	To comply with statutory financial and audit requirements

Staff Data Retention

Record Type	Retention Period
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Personnel files	6 years after employment
Recruitment records	6 years
Payroll records	7 years
Training records	Duration + 6 years
DBS clearance records	Duration + 6 years
Safeguarding allegations	Until retirement age or 10 years

Contractor/ Self Employed Data Retention

Record Type	Retention Period
Identity and vetting records	6 years after contract ends
Contracts	6 years
Payment records	7 years
Session records	6 years
Insurance documentation	6 years

Secure Disposal

All expired data is securely destroyed through:

- Confidential shredding
- Permanent digital deletion
- Secure wiping of storage devices

Information Management and Retention Monitoring

To support the retention schedules outlined in this policy, New Way Tuition maintains a central Data Retention Monitoring Spreadsheet to ensure accountability, transparency, and compliance with UK GDPR storage limitation requirements.

The retention monitoring system records:

- Types of personal data held
- Categories of records (student, staff, safeguarding, operational)
- Retention periods in line with IRMS Toolkit guidance
- Date of birth or key trigger dates for retention calculation
- Storage location and systems used
- Access permissions
- Data sharing arrangements where applicable

- Disposal or archive dates

The retention monitoring system also supports data mapping by identifying how information flows across the organisation, including:

- Collection of data
- Storage locations
- Access controls
- Sharing arrangements
- Archiving and disposal processes

The retention monitoring spreadsheet is reviewed regularly to ensure:

- Data is only retained where necessary
- Retention timelines are applied correctly
- Safeguarding records are protected appropriately
- Data is securely archived or disposed of when due
- Compliance risks are identified and addressed promptly

This process enables New Way Tuition to demonstrate accountability under UK GDPR, meet Independent School Standards expectations, and maintain effective data governance.

Data Subject Rights

Individuals have the right to:

- Access their data
- Request corrections
- Restrict processing
- Request erasure in certain circumstances
- Object to processing

Requests are handled within statutory timeframes.

Third-Party Processing

Where third parties process data on behalf of New Way Tuition, written agreements ensure compliance with UK GDPR and appropriate security standards.

Examples will be:

- Payroll providers
- Pension providers
- DBS processing bodies
- Local Authorities
- Safeguarding agencies
- IT service providers
- Accountants
- Legal advisors
- Regulatory bodies

Third-party processors will be subject to due diligence before engagement and monitored periodically to ensure continued compliance with contractual and data protection requirements.

Training and Awareness

Training is provided:

- during induction;
- annually thereafter;
- following significant legislative changes;
- following identified breaches;
- where role-specific risks require additional training.

Training records are maintained and monitored by the Data Protection Lead.

Monitoring and Continuous Improvement

The Data Protection Lead will monitor compliance through:

- internal audits;
- breach analysis;
- retention monitoring;
- staff training records;
- policy reviews;
- third-party compliance checks;
- data subject requests;
- feedback and lessons learned.

Actions arising from monitoring will be implemented to strengthen compliance and improve information governance.

Learning from Data Protection Incidents

New Way Tuition is committed to continually improving information governance.

Following breaches, complaints, audits or ICO advice, the organisation will:

- identify lessons learned;
- review procedures;
- improve staff training;
- strengthen cyber security measures;
- review risk assessments;
- update policies where necessary.

Policy Approval

This policy is approved by Senior Leadership and forms part of New Way Tuition's safeguarding and governance framework.