A screenshot of a video game

Description automatically generated with medium confidence

Data Protection Policy

(to include GDPR)

**Revised: 01/09/25 – Jay Treacy / Emily Wittering**

**To be reviewed by: 1st September 2026**

**General Statement**

UNEEK LEARNING collects and uses personal information about staff, volunteers, students, parents and other individuals with whom it has contact. This information is gathered in order to enable it to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that UNEEK LEARNING complies with its statutory obligations, including safeguarding. UNEEK LEARNING will ensure that all processing is appropriately registered when necessary and notiﬁed with the Information Commissioner’s Ofﬁce (ICO) and will review and update notiﬁed entries.

**Aim**

This policy seeks to ensure that personal information is dealt with correctly and securely and in accordance with legislation. The Directors of UNEEK LEARNING intend to fully comply with the requirements and principles of the General Data Protection Regulations (GDPR) 2018, Data Protection Act 1998, Human Rights Act 1998, and Freedom of Information Act 2000, and other related legislation, in relation to the management of personal data at UNEEK LEARNING. This policy applies to information regardless of the way it is collected, used, recorded, stored and destroyed irrespective of whether data is held in paper ﬁles or electronically. It is recognised that other legislation (for example the Crime and Disorder Act) may override Data Protection law and necessitate the otherwise unwarranted sharing of information. All personnel involved with the collection, processing and disclosure of personal data will be made aware of their duties and responsibilities within these guidelines. Personnel deliberately acting outside their recognised authority may be subject to appropriate disciplinary proceedings.

**Definitions**

**Data Subjects**

Data subjects may include not only individual pupils and/or their parents/guardians but also employees, volunteers and other professionals.

**Personal Information/Data**

Data which relates to a living individual who can be identiﬁed from that data, or other information held. For example, a staff member’s name and address, students’ attendance record(s), students’ exam results, internet cookies.

**Data Controller**

Data controllers may be organisations or individuals who determine the purposes and means of processing the personal data. A company, in this case UNEEK LEARNING, is the data controller rather than any individual employee who is simply part of the company. The controller is responsible for ensuring that the processes abides by data protection law.

**Data Protection Advisor/ Officer**

The data protection officer is responsible for advising school leaders and staff regarding data obligations, monitoring compliance and conducting regular data audits.

Uneek Learning have an external DP Adviser - Nathan Drinkall, Drinkall Electrical and Security and an internal DP Officer – Jay Treacy and an e-Safety Co-Ordinator – Tom Crawley, who meet at least annually to ensure data monitoring and compliance checks are conducted.

**Data Processing**

Data processing refers to any activity relating to personal data. This includes initial collection through organising, altering, consulting, using, disclosing or combining data, as well as its ﬁnal destruction. This includes holding data either electronically or manually.

**The Principles**

UNEEK LEARNING shall, so far as is reasonably practicable, comply with the Data Protection Principles contained in the GDPR and Data Protection Act to ensure all data is:

• processed fairly and lawfully in a transparent manner;

• obtained and processed for a speciﬁc lawful purpose;

• adequate, relevant and limited to what is necessary;

• accurate and, where necessary, kept up to date;

• not kept for longer than necessary;

• processed in a manner to ensure appropriate security

In accordance with the GDPR UNEEK LEARNING, as the controller, is responsible for and will be able to demonstrate compliance with the principles.

**Data Uses**

Personal data (including sensitive personal data, where appropriate) is processed by UNEEK LEARNING strictly in accordance with the Data Protection Act in order to:

• support its teaching and learning;

• monitor and report on students’ progress;

• publish examination results;

• provide appropriate pastoral care;

• assess how well UNEEK LEARNING as a whole is doing;

• communicate with former students;

• where appropriate, promote UNEEK LEARNING to prospective students (including through the UNEEK LEARNING’s prospectus and website;

• other reasonable purposes relating to the operation of UNEEK LEARNING.

UNEEK LEARNING will not use or process personal information that contravenes its statutory or registered/ notiﬁed purposes. Any new purposes for data processing introduced will, where appropriate, be notiﬁed to the individual and, if required by law, their consent will be sought.

In general, UNEEK LEARNING will only process data with the subject data's consent (or with the consent of parents/carers acting on behalf of their child). There may be exceptions as outlined below.

Data shall only be shared with others when it is legally appropriate to do so – e.g. if there is a safeguarding concern about a child. Only authorised and properly instructed staff are allowed to make external disclosures of personal data. Data used within UNEEK LEARNING should be made available to staff only if they need to know for their work in UNEEK LEARNING.

**Exemptions**

Certain data is exempted from the provisions of the Data Protection Act which includes, but is not restricted to the following:

• national security and the prevention or detection of crime;

• the assessment of any tax or duty;

• where the processing is necessary to exercise a right or obligation conferred or imposed by law upon UNEEK LEARNING, including safeguarding and prevention of terrorism and/or radicalisation.

**Fair Obtaining**

UNEEK LEARNING undertakes to obtain information fairly and lawfully by informing all data subjects of:

• the reason for its collection

• the purposes for which the data will be held

• when their information will is shared, why, and with whom it was shared with

• the data subject’s rights of access.

Personal data will usually be obtained through the sharing from third parties (students’ school/ referring agency) when a student starts at UNEEK LEARNING. This will include details of a students’ name, address, DOB, and educational record and other such information. We may also seek to collect data directly from parents or students.

**Data Integrity**

UNEEK LEARNING will not collect data from individuals that is excessive or irrelevant in relation to the registered/notiﬁed purpose(s). Details collected will be adequate and no more. Data held will be as accurate and as up-to-date as is reasonably possible. We request that all data subjects inform UNEEK LEARNING of any changes to information held (eg. change of address). If UNEEK LEARNING is informed of a change of circumstances records will be updated as soon as possible. Where a student themselves informs UNEEK LEARNING of a change in their information, UNEEK LEARNING will seek to conﬁrm this with the students’ parent/carer and/or school/referring agency as soon as possible.

Information will only be held for as long as is necessary for the registered/notiﬁed period. After this time period details will be deleted and/or destroyed. Data subjects have the right in some circumstances to request that inaccurate information about them is erased. This does not apply in all cases, for example, where records of mistakes or corrections are kept, or records which must be kept in the interests of all parties to which they apply.

**Security**

UNEEK LEARNING undertakes to ensure the security of personal data to prevent unauthorised individuals and staff from gaining access to personal information by:

Physical security:

• Ensuring that no student has access to electronic networks where personal data about other students (including themselves) is stored;

• Restricting access of students and other unauthorised personnel (including visitors) to ofﬁces and rooms where personal data systems are kept;

• Provision of secure storage and ﬁling systems for paper records, including lockable ﬁling cabinet(s);

• Provision of appropriate building security through the locking of doors, staff only access systems and building alarms;

• Ensuring laptop computers are always stored in secure areas and not left unattended on site and off site;

• Safe storage of computer/laptop back up drives (risk of ﬁre, theft, other damage or loss).

Logical security:

• Password protection for the WiFi network(s) to prevent use by any external parties;

• Password protection for UNEEK LEARNING’s laptops/computers;

• Password protection for UNEEK LEARNING’s electronic data storage network ( Google Drive);

• Password protection for UNEEK LEARNING’s staff email system (used if sending confidential data to external agencies);

• Passwords only shared with appropriate personnel as and when necessary.

* All staff have a company email and must only use work email NOT personal email for work purposes ( i.e [name@u-neeklearning.org](mailto:name@u-neeklearning.org))

Procedures and protocols:

• Only permitting authorised personnel have access to personal data records;

• Ensuring that all staff and volunteers are made aware of their responsibilities for conﬁdentiality and data protection and for general security matters, and ensuring that staff’s knowledge is updated as required;

• Destroying data securely in accordance with best practice at the time of destruction.

**Subject Access and Subject Information Requests**

Any person whose details are held or processed by UNEEK LEARNING (data subjects) have a general right to receive a copy of their own information. This may include students, staff, volunteers. A subject access/information request should be submitted in written format, to ensure that UNEEK LEARNING has the required information to be able to conduct a data search and fulﬁl the request. UNEEK LEARNING will respond in writing to requests for access to student records within 15 school days and for all other types of record within the 40 [calendar] days allowed by the Data Protection Act 1998. The Data Protection Act 1998 allows exemptions as to the provision of some information; therefore all information will be reviewed prior to disclosure.

UNEEK LEARNING’s policy for dealing with requests for subject access in respect of a student is:

• Requests from students who demonstrate an understanding of the nature of their request (see note below) will be processed as any subject access request as outlined below.

• Requests from students who do not understand the nature of the request will be referred to the child's parents.

• Requests from parents in respect of their own child will, where the child is judged to not understand the nature of the subject access requests (see note below), be processed as requests made on behalf of the data subject (child).

• Requests from parents of children who are of an age whereby they can understand the nature of issues relating to their data will only be approved whereby the data subject (child) has also given their consent. Responses to such requests will involve the child. NB. The normal assumption will be that at the age of 13 a child is able to understand the issues concerning access to their data. The data controller will make the judgement about whether a child has the necessary level of understanding and will seek guidance from the students on roll school, referrer and/or Local Authority in the event of a dispute.

The identity of the requestor must be established before the disclosure of any information, and checks should also be carried out regarding proof of relationship to the child. Evidence of identity can be established by the production of a passport, driving license, birth/marriage certiﬁcate, P45, or other suitable document. Where information is not available from UNEEK LEARNING but is processed by a student’s school, the Local Authority, a Health Care professional or another professional or organisation the requests will be directed to the appropriate ofﬁcer.

**Third party information is that which has been provided by another, such as the Police, Local Authority, Health Care professional or another school**. Before disclosing third party information consent should normally be obtained. This will still be provided within the 40 day statutory timescale.

**Sharing Personal Information**

There are occasions where sharing personal data with local authorities, other schools, social services etc. cannot be avoided. It may be that without sharing the data, actions cannot be completed. For example, it may be necessary to pass on details about a child showing signs of harm to social services. In such cases, UNEEK LEARNING will ensure that only necessary information is passed onto the appropriate parties. **In all cases the DSL (Jay Treacy) will be responsible for passing on any personal data. In Jay Treacy’s absence this will be Deputy DSL – Paul Skyers / Emily Wittering/ Sonya Raybould.**

**Disclosures**

UNEEK LEARNING will normally only disclose data to third parties about individuals with their consent. However, disclosure may be made without consent where:

• it is to authorised recipients related to UNEEK LEARNING carrying out its statutory duties and obligations;

• it is to authorised recipients in respect of the students’ health, safety and welfare;

• (for staff) it is to relevant authorities in respect to payroll, administration, safeguarding matters;

• It is unavoidable e.g. IT support issues. In this case the relevant party would be expected to be bound to not disclose personal data.

**Complaints and Appeals**

Complaints, disputes or challenges as described above should be ﬁrst taken up with the Business Manager – Emily Wittering, or an authorised person acting on her behalf (Education Director - Jay Treacy or Proprietor/ Director - Tim Payne).

UNEEK LEARNING’s Complaints Procedure should be followed. In certain cases the Senior Leadership Team may deem it inappropriate for the complaint to be dealt with in accordance with UNEEK LEARNING’s Complaints Procedure. In such cases, or where the complainant feels that their complaint has not been resolved, the complaint can be dealt with by the Information Commissioner – [www.ico.co.uk](http://www.ico.co.uk)