STAFFPOWER GROUP

RECRUITMENT & TRAINING

Data Protection Policy

| Version 1.2 |

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Document Controller	Robert Longstaff
Signature	R. Longstaff

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1. **Introduction**
   Staff Power Training (SPT) is committed to protecting the rights and privacy of learners, staff, and partners. This policy ensures we process "Personal Data" and "Special Category Data" lawfully, transparently, and securely.

2. **Role Definitions**

2.1. Data Controller: Staff Power Training (We determine the why and how of data processing).
2.2. Data Processor: Third-party platforms we use (e.g. HubSpot, Cloud Assess).
2.3. Data Subject: Any living individual whose data we hold (Learners, Tutors, Employees).

3. **The Data Protection Principles**
   We adhere to the six core principles of the UK GDPR:
   - Lawfulness, Fairness, and Transparency: We process data only when we have a legal reason and tell individuals exactly how we use it.
   - Purpose Limitation: Data is collected for specific training and funding purposes and not used for unrelated marketing without consent.
   - Data Minimisation: We only ask for the information we actually need.
   - Accuracy: We take reasonable steps to ensure learner records are kept up to date
   - Storage Limitation: We do not keep data longer than necessary (see Retention section).
   - Integrity and Confidentiality: We use technical and organizational measures to keep data safe.

4. **How Data Flows in Adult Education**
   Understanding the flow of data is critical for compliance. We act as a hub between the learner and various regulatory bodies.

5. **Lawful Bases for Processing**
   We rely on the following legal grounds to process data:
   - Contract: To provide training services and process enrolments
   - Legal Obligation: To report data to the Education and Skills Funding Agency (ESFA) and Ofsted.
   - Legitimate Interests: To improve our courses and maintain business records.
   - Consent: For optional activities like marketing or using learner testimonials.

6. **Special Category Data**
   We often process sensitive data, such as health/disability status (to provide Reasonable Adjustments) and ethnicity (for Equality Monitoring required by the government). We process this under:
   - Article 9(2)(b): Employment, social security, and social protection law.
   - Article 9(2)(g): Reasons of substantial public interest (statutory purposes).

7. **Individual Rights**

All data subjects have the following rights:

- Right of Access: The right to request a Subject Access Request (SAR). We will respond within one month.
- Right to Rectification: The right to correct inaccurate data.
- Right to Erasure: The "right to be forgotten" (Note: This is often overridden by our legal obligation to keep records for ESFA audit purposes).
- Right to Data Portability: Moving data to another provider.

8. **Data Sharing and Third Parties**

We share data with specific third parties for the delivery of qualifications and funding:

- The ESFA: For funding and the Individual Learner Record (ILR).
- Awarding Organisations (e.g., NCFE, QNUK): To register learners for exams and claim certificates.
- Sub-contractors: Only where a formal Data Processing Agreement (DPA) is in place.

9. **Retention and Disposal**

The SPT Document Retention & Secure Storage Policy provide further guidance on the retention and disposal of information held by SPT.

10. **Personal Data Breaches**

- A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. This includes breaches that are the result of both accidental and deliberate causes. It also means that a breach is more than just about losing personal data.

- All breaches must be reported immediately to the Data Protection Officer (DPO).

- If required the DPO will report certain personal data breaches to the ICO within 72 hours of becoming aware of the breach, where feasible.

- If the breach is likely to result in a high risk of adversely affecting individuals' rights and freedoms, SPT will also inform those individuals without undue delay.

11. Data Protection Officer (DPO)

Our designated DPO is responsible for overseeing this policy and acting as a point of contact for the ICO.

Rob Longstaff
Head of Quality & Curriculum
Mackies Corner
106 High Street West
Sunderland
SR1 1TX

T: 0191 500 3777
M: 07943 874431
E: rob@staffpowergroup.com

12. Policy Review

This policy will be reviewed annually, or more frequently if there are significant changes in legislation, working practices, or following any related incidents.