Data Protection Policy	
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Policy prepared by	Director of Quality, Compliance & Excellence
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ICO registration number: ZA506544

Data Protection Officer: Nick Preston
Email: npreston@education-wise.org
Telephone: 0117 379 0450

Policy statement

Educationwise is committed to protecting the personal information of learners, apprentices, employers, staff, subcontractors and other stakeholders.

Personal information will be:

- Used fairly, lawfully and transparently
- Collected for clear and legitimate purposes
- Limited to what is necessary
- Kept accurate and up to date
- Retained only for as long as required
- Protected against loss, misuse, unauthorised access or disclosure
- Managed in a way that protects individual rights
- Processed in line with legal, funding and contractual requirements

Educationwise will maintain appropriate policies, systems, controls and records to demonstrate compliance.

Purpose

The purpose of this policy is to explain how Educationwise collects, uses, shares, stores and protects personal information.

It sets out how Educationwise will:

- Meet its responsibilities under data protection law
- Protect the personal information of learners and other stakeholders
- Identify lawful reasons for using personal information
- Provide clear privacy information
- Respond to individual rights requests
- Manage data protection complaints
- Identify and respond to personal data breaches
- Control access to personal information
- Manage suppliers and organisations processing data on its behalf
- Assess data protection risks
- Use new technology and artificial intelligence responsibly
- Retain and securely dispose of information
- Monitor and improve its data protection arrangements

Scope

This policy applies to:

- Employees, including temporary and part-time staff
- Directors and Board members
- Associates, consultants and contractors
- Learners and apprentices
- Employers
- Subcontractors and their staff
- Suppliers and delivery partners
- Anyone processing personal information on behalf of Educationwise

It applies to personal information held in any format, including:

- Electronic records
- Emails and messages
- Learning and assessment platforms
- Paper records
- Audio and video recordings
- Photographs
- Online forms
- Recorded calls or meetings
- System logs
- Information held on approved mobile devices

Legal framework

Educationwise will comply with:

- The UK General Data Protection Regulation
- The Data Protection Act 2018
- The Data (Use and Access) Act 2025
- The Privacy and Electronic Communications Regulations 2003
- Relevant funding, contractual and regulatory requirements

The Data (Use and Access) Act 2025 amended parts of the UK data protection framework. Its data protection provisions took effect on 19 June 2026, including new requirements for handling data protection complaints and changes affecting subject access requests and automated decision-making.

Definitions

Personal information

Personal information is information relating to an identified or identifiable person.

This may include:

- Names and contact details

- Identification numbers
- Images and recordings
- Online identifiers
- Education and employment information
- Financial information
- Information about personal circumstances

Special category information

Special category information receives additional legal protection and includes information about:

- Race or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Genetic information
- Biometric information used to identify a person
- Health
- Sex life or sexual orientation

Criminal offence information

Criminal offence information includes information relating to:

- Criminal allegations
- Investigations
- Proceedings
- Convictions
- Offences
- Related security measures

Processing

Processing includes collecting, recording, viewing, using, sharing, changing, storing, transferring, deleting or destroying personal information.

Data controller

A data controller decides why and how personal information is processed.

Educationwise will normally act as the data controller for the personal information it collects and uses to operate its services.

Data processor

A data processor uses personal information on behalf of a data controller and in line with the controller's instructions.

Personal data breach

A personal data breach is a security incident that results in personal information being accidentally or unlawfully:

- Lost
- Destroyed
- Changed
- Disclosed
- Accessed by an unauthorised person
- Made unavailable

Data protection principles
Educationwise will follow the data protection principles below.

Lawfulness, fairness and transparency
Personal information will only be processed where there is a lawful reason. Individuals will receive clear information about how their data is used.

Purpose limitation
Information will be collected for clear and legitimate purposes and will not be used for an incompatible purpose without a lawful reason.

Data minimisation
Educationwise will only collect and use information that is adequate, relevant and necessary.

Accuracy
Reasonable steps will be taken to keep information accurate and correct inaccurate information promptly.

Storage limitation
Personal information will not be retained for longer than necessary.

Security
Appropriate technical and organisational measures will be used to protect personal information.

Accountability
Educationwise will maintain appropriate records and evidence to demonstrate compliance.

Roles and responsibilities

Chief Executive Officer

The Chief Executive Officer has overall executive accountability for data protection.

The Chief Executive Officer will:

- Ensure suitable governance and resources are in place
- Support the independence of the Data Protection Officer
- Consider significant data protection risks and incidents
- Approve major organisational decisions about personal information
- Ensure significant matters are escalated to the Board where required

Senior Leadership Team

The Senior Leadership Team is responsible for making and approving operational decisions about how Educationwise collects and uses personal information.

The Senior Leadership Team will:

- Consider advice provided by the Data Protection Officer
- Ensure suitable data protection controls are in place
- Approve significant new systems and processing activities
- Ensure risks and actions are appropriately managed
- Support investigations and corrective action
- Ensure staff have suitable training and resources
- Escalate significant matters to the Chief Executive Officer or Board

Data Protection Officer

Educationwise's Data Protection Officer is Nick Preston.

The Data Protection Officer will:

- Advise Educationwise and its staff on data protection responsibilities
- Monitor compliance with legislation and this policy
- Support data protection training and awareness
- Advise on Data Protection Impact Assessments
- Support the handling of individual rights requests
- Support the assessment of personal data breaches
- Monitor data protection complaints
- Act as a contact point for individuals and the Information Commissioner's Office
- Report significant risks directly to the Chief Executive Officer and, where necessary, the Board

The Data Protection Officer will carry out these responsibilities independently.

Educationwise will ensure that the Data Protection Officer:

- Is involved in relevant data protection matters
- Has access to the information and resources required
- Can raise concerns directly with the Chief Executive Officer and Board
- Is not instructed on what conclusion to reach when giving data protection advice
- Is not disadvantaged for carrying out the role

The Data Protection Officer may hold other responsibilities within Educationwise, provided these do not create a conflict of interest. The ICO confirms that a DPO may hold other duties where they do not conflict with the DPO's independent responsibilities.

Where a matter relates directly to an operational decision made by the Data Protection Officer in another role:

- The matter will be considered by the Chief Executive Officer or another suitably independent senior leader
- The DPO will provide advice but will not make the final compliance decision
- External advice may be obtained where required

Educationwise remains responsible for compliance. Responsibility does not sit personally with the Data Protection Officer.

Managers

Managers must:

- Ensure staff follow this policy
- Only give staff access to information required for their role
- Report risks, breaches and concerns promptly
- Consider data protection when changing processes
- Support rights requests and investigations
- Ensure agreed actions are completed

All staff and contractors

Everyone working for or on behalf of Educationwise must:

- Only access personal information needed for their role
- Use approved systems and processes
- Keep information accurate
- Protect passwords and access details
- Store and transfer information securely
- Avoid sharing information with unauthorised people
- Report suspected data breaches immediately
- Forward rights requests and complaints promptly
- Complete required training
- Follow retention and secure disposal arrangements

- Ask for advice where they are unsure

Deliberate misuse, unauthorised access or concealment of a breach may result in action under the relevant disciplinary or contractual arrangements.

Personal information Educationwise may process

Learner and apprentice information

Educationwise may process:

- Name and contact details
- Date of birth and age
- Address and residency information
- Identification and eligibility evidence
- Previous qualifications
- Employment information
- Enrolment and programme information
- Attendance, engagement and progress
- Assessment and achievement records
- Individualised Learner Record information
- Employer and workplace details
- Learning support and reasonable adjustment information
- Career goals and destination information
- Complaints, appeals and conduct records
- Safeguarding and wellbeing information
- Photographs, recordings and online activity where relevant

Employer information

Educationwise may process:

- Names and contact details
- Job titles and roles
- Organisation information
- Contracts and agreements
- Financial and payment information
- Apprentice support and progress-review records
- Communications and feedback

Staff information

Educationwise may process:

- Recruitment and employment records
- Identity and right-to-work information
- Payroll and pension information
- Qualifications and training

- Performance and development information
- Attendance and leave
- Health and reasonable adjustment information
- Disciplinary and grievance information
- Safer recruitment information
- Criminal record information where required

Website and digital information

Educationwise may process:

- Website usage information
- Online identifiers
- Cookie preferences
- Online form submissions
- System and security logs
- Information entered into website tools or chat services

Further information is provided in Educationwise's Cookies Policy and Privacy Policy.

Sources of personal information

Educationwise may receive personal information from:

- The individual
- Employers
- Parents, carers or authorised representatives
- Schools, colleges and previous training providers
- The Department for Education and other funding bodies
- Awarding organisations
- End-point assessment organisations
- Subcontractors and delivery partners
- Safeguarding partners and public authorities
- Recruitment agencies
- Educationwise systems and online services
- Publicly available sources where appropriate

Where information is obtained from another source, Educationwise will provide appropriate privacy information unless a legal exemption applies.

Lawful bases for processing

Educationwise will identify and document an appropriate lawful basis before processing personal information.

Depending on the activity, this may include:

Contract

Processing may be necessary to enter into or fulfil a contract with an individual.

Legal obligation

Processing may be required to meet legal, funding, safeguarding, employment, tax, health and safety or regulatory duties.

Legitimate interests

Processing may be necessary for Educationwise's legitimate operational or business interests where these do not override the rights and interests of the individual.

A Legitimate Interests Assessment will be completed where appropriate.

Consent

Consent may be used where an individual has a genuine choice, such as for certain marketing, photographs or optional activities.

Consent must be:

- Freely given
- Specific
- Informed
- Given through a clear positive action
- Capable of being withdrawn

Educationwise will not rely on consent where another lawful basis is more appropriate.

Vital interests

Information may be processed where necessary to protect someone's life.

Public task

Educationwise may rely on public task where it performs a specific function in the public interest that is established by law.

The lawful basis for processing will be recorded within relevant privacy information and the Record of Processing Activities.

Special category information

Educationwise will only process special category information where:

- A lawful basis under Article 6 applies
- An additional condition under Article 9 applies
- The processing is necessary and proportionate

- Access is restricted
- Suitable safeguards are in place

This information may be used for:

- Safeguarding
- Supporting health, disability or learning needs
- Reasonable adjustments
- Equality monitoring
- Employment and social protection
- Legal claims
- Other lawful substantial public interest purposes

Educationwise will maintain an Appropriate Policy Document where required.

Criminal offence information

Criminal offence information will only be processed where Educationwise has:

- A lawful basis
- Official authority or a relevant condition under the Data Protection Act 2018
- An Appropriate Policy Document where required
- Suitable access and security controls

This information may be processed for:

- Safer recruitment
- Safeguarding
- Fraud prevention
- Legal claims
- Other lawful purposes

Children and young people

Educationwise will take particular care when processing information about children and young people.

Educationwise will:

- Provide clear and age-appropriate privacy information

- Consider the person's age and understanding
- Consider the best interests of the child
- Limit access to people who need the information
- Apply suitable safeguarding and security controls
- Avoid relying on consent where another lawful basis is more appropriate
- Consider whether the young person can exercise their own data protection rights
- Consider whether a parent or authorised representative should act on their behalf

Parental consent is not automatically required for all processing involving someone under the age of 18.

Privacy information

Educationwise will provide privacy information explaining:

- What information is collected
- Why it is used
- The lawful basis
- Who it may be shared with
- How long it will be retained
- Whether it may be transferred outside the UK
- The individual's rights
- How to make a complaint
- How to contact the Data Protection Officer

Privacy information will be reviewed when systems, services, processing activities or legal requirements change.

Data protection by design and default

Data protection will be considered when Educationwise:

- Introduces or changes a system
- Develops a new programme or service
- Appoints a supplier
- Changes how information is collected or shared
- Introduces artificial intelligence or automated tools
- Designs forms, reports or online services

Systems and processes should:

- Collect only the information required
- Restrict access appropriately
- Use secure default settings
- Avoid unnecessary sharing
- Include suitable retention and deletion arrangements

Data Protection Impact Assessments

A Data Protection Impact Assessment will be completed before processing begins where an activity is likely to create a high risk to individuals.

This may include:

- Introducing significant new technology
- Using artificial intelligence to evaluate people

- Large-scale processing of special category information
- Large-scale monitoring
- Combining information from different sources
- Processing criminal offence information on a large scale
- Introducing biometric identification
- Making significant automated decisions
- Introducing systems involving children or vulnerable people

The assessment will consider:

- The purpose of the processing
- Whether it is necessary and proportionate
- The information involved
- The effect on individuals
- The risks
- The controls required

The Data Protection Officer will advise on the assessment.

The decision to approve the processing will be made by the Senior Leadership Team or Chief Executive Officer.

Where Educationwise decides not to follow the DPO's advice, the reasons will be documented. ICO guidance states that DPO advice on a DPIA should be recorded and that reasons should be documented where the advice is not followed.

Where a high risk cannot be reduced, Educationwise will consult the ICO before beginning the processing.

Record of Processing Activities

Educationwise will maintain a Record of Processing Activities.

This will include, where relevant:

- Categories of individuals
- Categories of personal information
- Purposes for processing
- Lawful bases
- Conditions for special category and criminal offence information
- Recipients
- Data processors
- International transfers
- Retention periods
- Security arrangements

The record will be reviewed regularly and whenever processing activities change significantly.

Information security

Educationwise will use proportionate technical and organisational controls to protect personal information.

These may include:

- Role-based access
- Multi-factor authentication
- Password controls
- Encryption
- Secure backups
- Device management
- System monitoring
- Audit trails
- Restrictions on downloading and transferring information
- Secure disposal
- Staff training
- Supplier security checks
- Incident response and recovery arrangements

Staff must only use approved systems and devices for Educationwise information unless an alternative arrangement has been authorised.

Access to personal information

Access will be limited to people who require the information to carry out their role.

This may include:

- Tutors and coaches
- Assessment and IQA staff
- MIS and programme coordination staff
- Safeguarding staff
- People and Culture support
- Finance staff
- Employer engagement staff
- Managers and senior leaders
- Authorised contractors or system providers

Access permissions will be reviewed and removed when they are no longer required.

Data sharing

Educationwise may share personal information with:

- The Department for Education and other funding bodies
- Awarding organisations

- End-point assessment organisations
- Employers
- Subcontractors
- Government departments
- Regulators and auditors
- Safeguarding partners
- Local authorities
- Emergency services and law enforcement
- Professional advisers
- IT, payroll and other service providers

Information will only be shared where:

- There is a lawful basis
- The sharing is necessary and proportionate
- The recipient has a valid need
- Suitable agreements or controls are in place
- Individuals have been informed where required

Educationwise will not sell personal information.

Data processors and suppliers

Before appointing an organisation to process personal information, Educationwise will complete proportionate checks to confirm that it can protect the information.

A suitable written contract or agreement will be in place.

The agreement will cover:

- The purpose and duration of processing
- The type of information involved
- Confidentiality
- Security
- Use of sub-processors
- Assistance with rights requests
- Personal data breaches
- Return or deletion of information
- Audit and assurance arrangements
- International transfers

Processors must only use information in line with Educationwise's documented instructions.

International data transfers

Where personal information is transferred outside the UK, Educationwise will ensure that the transfer is lawful.

Suitable arrangements may include:

- UK adequacy regulations

- The UK International Data Transfer Agreement
- The UK Addendum to approved standard contractual clauses
- Binding Corporate Rules
- A permitted legal exception

A transfer risk assessment will be completed where required.

Data retention and disposal

Educationwise will maintain a retention schedule setting out how long different types of information will be kept.

Retention periods will reflect:

- Legal requirements
- Funding and contractual requirements
- Awarding organisation requirements
- Employment and financial obligations
- Safeguarding requirements
- Limitation periods
- The purpose for which the information was collected

Learner and funding evidence will be retained for the period required by the relevant funding agreement or contract.

Information will be securely:

- Deleted
- Destroyed
- Returned
- Anonymised

when it is no longer required.

Information must not be destroyed where it is required for an investigation, complaint, legal claim, audit or regulatory review.

Accuracy of personal information

Educationwise will take reasonable steps to keep information accurate and up to date.

Learners, employers and staff should notify Educationwise when their information changes.

Requests to correct information can be sent to:

info@education-wise.org

Individual rights

Depending on the circumstances, individuals may have the right to:

- Be informed about how their information is used
- Access their personal information
- Correct inaccurate information
- Request deletion
- Request restriction of processing
- Object to processing
- Receive certain information in a portable format
- Withdraw consent
- Challenge significant automated decisions
- Make a data protection complaint

These rights are not absolute. Educationwise will consider each request in line with the law and explain its decision.

Requests may be sent to:

info@education-wise.org

Requests received by another member of staff must be forwarded promptly to the Data Protection Officer.

Subject access requests

Individuals may request access to their personal information verbally or in writing. They do not need to use the term “subject access request”.

Educationwise will:

- Confirm the person’s identity where reasonably required
- Confirm the authority of anyone acting on their behalf
- Clarify the request where reasonably necessary
- Complete a reasonable and proportionate search
- Protect information relating to other people
- Apply any relevant legal exemptions
- Provide the information securely
- Respond without undue delay and normally within one month

Current ICO guidance confirms that organisations must make a reasonable and proportionate search when responding to a subject access request.

The response period may be extended by up to a further two months where the request is complex or the individual has made several requests.

Where identification or evidence of authority is reasonably required, the response period will begin once this has been received.

Where clarification is reasonably required, the response period may be paused until the individual provides the required information.

The individual will be informed of any extension or delay.

Automated decision-making and artificial intelligence

Educationwise may use artificial intelligence or automated tools to support its activities.

Where personal information is involved, Educationwise will:

- Use approved systems
- Identify a lawful basis
- Provide appropriate privacy information
- Use accurate and relevant information
- Limit the information entered
- Protect confidential information
- Review supplier and contractual arrangements
- Maintain suitable human oversight
- Complete a DPIA where required
- Monitor for unfair, inaccurate or discriminatory outcomes

Personal information must not be entered into an unapproved public artificial intelligence tool.

Where a solely automated decision has a legal or similarly significant effect, Educationwise will apply appropriate safeguards.

These will include, where required:

- Providing information about the decision
- Allowing the individual to make representations
- Allowing the decision to be challenged
- Providing meaningful human intervention

The Data (Use and Access) Act 2025 allows significant automated decisions in a wider range of circumstances but retains safeguards for individuals.

Personal data breaches

All suspected personal data breaches must be reported immediately to:

- The Data Protection Officer
- A member of the Senior Leadership Team
- The relevant manager

Staff must not conceal, delete or independently investigate a breach.

Educationwise will:

- Contain the incident
- Protect affected information
- Record what happened
- Identify the people and information affected
- Assess the risk to individuals
- Consider whether specialist support is required
- Notify the ICO where required
- Inform affected individuals where required
- Record decisions and lessons learned
- Take action to reduce the risk of recurrence

Where a breach is likely to result in a risk to individuals, Educationwise will notify the ICO without undue delay and, where possible, within 72 hours of becoming aware of it.

Where the risk is high, affected individuals will be informed without undue delay.

Educationwise will maintain a record of all personal data breaches, including those not reported externally.

Data protection complaints

Individuals may complain if they believe Educationwise has not handled their personal information correctly.

Complaints may be made to:

Data Protection Officer: Nick Preston
Email: npreston@education-wise.org
Telephone: 0117 379 0450

Educationwise will:

- Provide an accessible way to submit a complaint
- Acknowledge the complaint within 30 days
- Make appropriate enquiries without undue delay
- Keep the individual informed
- Provide the outcome without undue delay
- Explain any action taken
- Explain the right to complain to the ICO

These requirements took effect in June 2026. Organisations must provide a clear complaints route, acknowledge complaints within 30 days and respond without undue delay.

Where a complaint concerns an action, decision or alleged failure of the Data Protection Officer:

- The Chief Executive Officer or another suitably independent person will consider the complaint
- The DPO will not determine the outcome
- External advice may be obtained where appropriate

A data protection complaint may be handled alongside another Educationwise complaint, provided the specific data protection requirements are met.

Complaining to the Information Commissioner's Office

Individuals may complain to the Information Commissioner's Office if they remain concerned about how Educationwise has handled their information.

Educationwise will normally encourage the individual to raise the matter directly first so that it has the opportunity to respond.

The ICO can be contacted through its official website or by telephone on:

0303 123 1113

Confidentiality

Employees, associates, contractors and suppliers must maintain confidentiality.

Personal information must not be:

- Accessed without a valid reason
- Shared with unauthorised people
- Discussed in inappropriate settings
- Sent through unapproved systems
- Stored on unapproved personal devices
- Used for personal benefit
- Retained longer than required

Confidentiality duties continue after employment or contractual arrangements end.

Training and awareness

Staff will complete data protection and information security training:

- During induction
- Through periodic refresher training
- When significant legal or procedural changes occur
- Where a role involves increased data protection risk

Additional guidance may be provided to staff working in areas including:

- MIS and enrolment
- Safeguarding
- People and Culture
- Finance
- Assessment and IQA
- Marketing
- IT and system administration
- Subcontractor management

Training completion will be monitored.

Accountability records

Educationwise will maintain appropriate records, which may include:

- Record of Processing Activities
- Retention schedule
- Processor and supplier register
- Data-sharing agreements
- Data Protection Impact Assessments
- Legitimate Interests Assessments
- Appropriate Policy Document
- Personal data breach log
- Individual rights request log
- Data protection complaint records
- Training records
- International transfer assessments

Related policies and records

This policy should be read alongside:

- Privacy Policy
- Cookies Policy
- Security Policy
- Safeguarding and Prevent Policy
- Contingency and Adverse Effects Management Policy
- Public Interest Disclosure Policy
- Conflict of Interest Policy
- Counter Fraud and Error Policy
- Learner Appeals and Complaints Policy
- Records Retention Schedule
- Personal Data Breach Procedure
- Subject Access Request Procedure
- Data Protection Impact Assessment process

- Record of Processing Activities
- Appropriate Policy Document

Monitoring and review

The Data Protection Officer will monitor implementation through:

- Data protection complaints
- Individual rights requests
- Personal data breaches
- Data Protection Impact Assessments
- Processor and supplier reviews
- Staff training
- The Record of Processing Activities
- Security and audit findings
- Changes to systems and services

Significant risks or concerns will be reported to the Senior Leadership Team and escalated through Educationwise's risk governance arrangements where appropriate.

The Data Protection Officer will provide independent advice and assurance. The Senior Leadership Team and Chief Executive Officer retain authority and accountability for organisational decisions.

This policy will be reviewed annually or sooner where there is:

- A change in legislation or ICO guidance
- A significant personal data breach
- A complaint or regulatory finding
- A new high-risk system or technology
- A significant change to Educationwise's services
- Evidence that existing arrangements are not working effectively