

PACE Northwest – Data Protection Policy

Approved by: Board of Directors

Policy owner: Data Protection Officer (DPO)

Effective date: 29 August 2025

Next review due: Annually (or sooner if law/guidance changes)

1. Purpose

PACE Northwest (“the Company”) collects, stores and processes personal data about learners, apprentices, employees, employers, contractors, and partners. We are committed to handling personal information lawfully, fairly and transparently in compliance with the **UK General Data Protection Regulation (UK GDPR)** and the **Data Protection Act 2018 (DPA 2018)**. This policy sets out our approach to data protection, privacy, and individuals’ rights.

2. Scope

This policy applies to:

- All Company staff, directors, agency workers, contractors, associates, subcontractors and third parties who process personal data on our behalf.
- All personal data processed by the Company, whether in electronic form, on paper, or recorded in other media.

It covers all activities relating to teaching, training, assessment, funding, HR, marketing, employer engagement, safeguarding, complaints, and partnerships.

3. Legal framework

PACE Northwest complies with:

- **UK GDPR** and **Data Protection Act 2018**.

- **Privacy and Electronic Communications Regulations (PECR) 2003** (e-marketing and cookies).
- **Freedom of Information Act 2000** (where applicable to public contracts).
- Relevant ESFA funding rules, Ofsted requirements, and awarding-body/qualification regulations.

4. Principles of data protection

PACE Northwest processes personal data in line with the **seven principles** in UK GDPR (Article 5):

1. **Lawfulness, fairness and transparency** – data will be processed lawfully, fairly and openly.
2. **Purpose limitation** – data will only be collected for specified, explicit and legitimate purposes.
3. **Data minimisation** – we will collect only what is necessary.
4. **Accuracy** – data will be kept accurate and up to date.
5. **Storage limitation** – data will be kept only as long as necessary.
6. **Integrity and confidentiality** – data will be processed securely.
7. **Accountability** – we will demonstrate compliance with these principles.

5. Roles and responsibilities

- **Board of Directors:** ultimate responsibility for compliance.
- **Data Protection Officer (DPO):** oversees compliance, advises on obligations, monitors risks, handles subject rights requests, and liaises with the ICO.
- **Managers:** ensure staff in their teams understand and comply with this policy.
- **All staff:** must complete mandatory data protection training and handle personal data securely.
- **Third parties/contractors:** must sign data-processing agreements (DPAs) where they process data for us.

Contact: becs@pace-com.org

6. Lawful bases for processing

We process personal data under one or more lawful bases set out in UK GDPR:

- **Contract** – to deliver learning, training and assessment services, and to pay staff.
- **Legal obligation** – to meet regulatory/funding requirements (ESFA, Ofsted, HMRC, safeguarding).

- **Legitimate interests** – for quality assurance, internal reporting, service improvement, and employer engagement, where these do not override individuals' rights.
- **Consent** – for specific optional activities, e.g., marketing communications.
- **Vital interests** – to protect life or safety in emergencies.
- **Public task** – when carrying out tasks in the public interest under statutory frameworks.

Special category (sensitive) data (e.g., health, ethnicity, learning needs, safeguarding) is processed only where additional legal conditions are met (e.g., explicit consent, employment law, substantial public interest).

7. Rights of individuals

Individuals have the following rights under UK GDPR:

- Right to be informed (privacy notices).
- Right of access (subject access request).
- Right to rectification.
- Right to erasure (where applicable).
- Right to restrict processing.
- Right to data portability.
- Right to object.
- Rights in relation to automated decision-making and profiling.

We will respond to valid requests within **one month** (extendable by two months for complex cases) and free of charge unless manifestly unfounded or excessive.

8. Data security

We will protect personal data against unauthorised access, loss, destruction or damage by:

- Using secure IT systems, encryption, passwords and access controls.
- Locking paper records in secure storage.
- Applying clear desk and clear screen practices.
- Ensuring secure disposal of records (shredding, secure deletion).
- Training staff in data protection and cybersecurity.
- Requiring third-party processors to have appropriate technical and organisational measures.

9. Data sharing and transfers

- Personal data may be shared with funders, regulators (e.g., ESFA, Ofsted, Ofqual, HMRC, DfE), awarding organisations, auditors, and employers where legally required or contractually necessary.
- Data will not be shared with third parties for marketing without explicit consent.
- International transfers will only occur with adequate safeguards (e.g., adequacy regulations, standard contractual clauses).

10. Retention and disposal

Records are retained in line with statutory and funding requirements (e.g., ESFA ILR evidence packs – 6 years plus current year). HR and safeguarding records follow legal minimums. A **Records Retention Schedule** is maintained and reviewed annually.

11. Data breaches

- All staff must report actual or suspected data breaches immediately to the DPO.
- The DPO will assess the risk, record in the **Data Breach Log**, and where required notify the ICO within **72 hours** and affected individuals without undue delay.
- Lessons learned will be implemented to prevent recurrence.

12. Training and awareness

All staff complete induction and annual refresher training in data protection and information security. Specialist staff (e.g., HR, MIS, safeguarding) receive additional role-specific training.

13. Complaints

Individuals may raise data protection concerns with our DPO at becs@pace-com.org. If unresolved, they may complain to the **Information Commissioner's Office (ICO)**: www.ico.org.uk / 0303 123 1113.

14. Related policies and documents

- Privacy Notices (Learners, Staff, Employers)
- IT & Cyber Security Policy
- Safeguarding & Prevent Policy
- Records Retention Schedule
- Complaints Policy

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