

PACE Northwest – Data Protection Policy

Approved by: Board of Directors

Policy owner: Data Protection Officer (DPO)

Effective date: 29 August 2025

Reviewed: 16 September 2026

Next review due: 16 September 2027 (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 UK data protection law, including the UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018 (DPA 2018) and the Data (Use and Access) Act 2025 (DUAA), which amended aspects of the UK data protection framework. 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 electronic, paper-based or recorded in other media.

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

3. Legal framework

PACE Northwest complies with applicable requirements under:

- UK GDPR and Data Protection Act 2018, as amended by the Data (Use and Access) Act 2025.
- Privacy and Electronic Communications Regulations (PECR) 2003, as amended, including requirements relating to electronic marketing and cookies.
- Freedom of Information Act 2000 where it applies.
- Relevant Department for Education funding rules, Ofsted requirements and awarding-body/qualification regulations.

4. Principles of data protection

PACE Northwest processes personal data in accordance with the data protection principles:

1. **Lawfulness, fairness and transparency** – data will be processed lawfully, fairly and transparently.
2. **Purpose limitation** – data will be collected for specified, explicit and legitimate purposes.
3. **Data minimisation** – we will collect only what is adequate, relevant and necessary.
4. **Accuracy** – data will be kept accurate and, where necessary, up to date.
5. **Storage limitation** – data will be kept only for as long as necessary.
6. **Integrity and confidentiality** – appropriate security will protect personal data.
7. **Accountability** – we will be able to demonstrate compliance.

5. Roles and responsibilities

- **Board of Directors:** has overall responsibility for ensuring appropriate governance and resources for compliance.
- **Data Protection Officer (DPO):** oversees compliance, advises on obligations, monitors risks, supports rights requests and complaints, and liaises with the ICO where appropriate.
- **Managers:** ensure staff in their teams understand and comply with this policy.
- **All staff:** must complete required data protection training and handle personal data securely.
- **Third parties/processors:** must be subject to appropriate written data-processing terms where required and maintain suitable technical and organisational measures.

Contact: becs@pace-com.org

6. Lawful bases for processing

PACE Northwest identifies and documents an appropriate lawful basis before processing personal data. Depending on the activity, this may include:

- Contract – where processing is necessary to enter into or perform a contract.
- Legal obligation – where processing is necessary to comply with a legal requirement, including applicable funding, tax or safeguarding obligations.
- Legitimate interests – where appropriate for activities such as quality assurance, internal administration, service improvement or employer engagement, following the required balancing assessment.
- Consent – where consent is the appropriate lawful basis, including certain optional marketing activities.
- Vital interests – where necessary to protect life.
- Public task – only where PACE Northwest is carrying out a task in the public interest or exercising official authority and has a valid basis for doing so.

Special-category data, such as health, ethnicity, learning needs or safeguarding information, is processed only where both an Article 6 lawful basis and an appropriate Article 9 condition apply. Criminal-offence data is processed only where the relevant legal conditions and safeguards are met.

7. Rights of individuals

Individuals have rights under UK data protection law, subject to applicable conditions and exemptions, including:

- the right to be informed;
- the right of access;
- the right to rectification;
- the right to erasure;
- the right to restrict processing;
- the right to data portability;
- the right to object; and
- rights and safeguards relating to automated decision-making and profiling.

We respond to valid rights requests within the statutory timescale. The DUAA clarifies aspects of subject access handling, including the approach to reasonable and proportionate searches. Requests are normally handled free of charge, subject to the circumstances permitted by law.

8. Data security and data protection by design

We protect personal data against unauthorised or unlawful processing and accidental loss, destruction or damage through appropriate technical and organisational measures, including:

- secure IT systems, access controls, authentication and encryption where appropriate;
- secure storage of paper records;
- clear desk and clear screen practices;
- secure disposal and deletion procedures;
- staff training in data protection and cyber security;
- appropriate processor due diligence and contractual controls; and
- data protection by design and default, including Data Protection Impact Assessments (DPIAs) where processing is likely to result in a high risk to individuals.

Where an online service is likely to be accessed by children, PACE Northwest will take children's needs and interests into account when determining how their personal information is used, in accordance with current data protection law and ICO guidance.

9. Data sharing and international transfers

- Personal data may be shared with the Department for Education, Ofsted, Ofqual, HMRC, awarding organisations, auditors, employers, local authorities or other bodies where there is a lawful basis and the sharing is necessary and proportionate.

- Personal data will not be shared with third parties for their own direct marketing unless there is a lawful basis to do so and PECR requirements are met.
- International transfers will only take place where permitted by UK data protection law, using an applicable adequacy regulation or other appropriate transfer mechanism and safeguards.

10. Retention and disposal

Records are retained in accordance with statutory, contractual and applicable Department for Education funding requirements and PACE Northwest's Records Retention Schedule. HR, safeguarding, learner and funding records are retained for the periods applicable to each record type. The Records Retention Schedule is reviewed regularly. When records are no longer required, they are securely destroyed or deleted.

11. Data breaches

- All staff must report actual or suspected personal-data breaches immediately to the DPO.
- The DPO will assess the risk, document the breach and take appropriate containment and remedial action.
- Where required by law, PACE Northwest will notify the ICO without undue delay and, where feasible, within 72 hours of becoming aware of a notifiable breach.
- Where a breach is likely to result in a high risk to individuals, affected individuals will be informed without undue delay where required.
- Lessons learned will be recorded and controls improved where appropriate.

12. Data protection complaints

PACE Northwest maintains a process for handling complaints about its use of personal information, reflecting the requirements introduced by the Data (Use and Access) Act 2025 and in force from 19 June 2026.

Individuals can raise a data protection complaint with the DPO at becs@pace-com.org. We will provide an accessible route for complaints, acknowledge a complaint within 30 days of receipt, investigate it appropriately and without undue delay, keep the complainant informed where appropriate, and communicate the outcome.

If an individual remains dissatisfied, they have the right to complain to the Information Commissioner's Office (ICO).

13. Training and awareness

All staff complete data protection and information-security training at induction and refresher training at appropriate intervals. Staff in higher-risk roles, including HR, MIS and safeguarding, receive additional role-specific guidance or training where required.

14. Automated decision-making and profiling

Where PACE Northwest uses solely automated processing to make decisions that have legal or similarly significant effects, it will identify the applicable lawful basis and comply with the safeguards required by current UK data protection law. Additional restrictions apply where special-category data is involved. Individuals will be given appropriate information about such processing through relevant privacy information.

15. Related policies and documents

- Privacy Notices (Learners, Staff, Employers)
- IT & Cyber Security Policy
- Safeguarding & Prevent Policy
- Records Retention Schedule
- Customer Service Charter & Complaints Procedure
- Cookie Policy / relevant website privacy information
- Data Breach Procedure

16. Contact

Data Protection Officer: becs@pace-com.org

Information Commissioner's Office: www.ico.org.uk / 0303 123 1113

Version control

v1.1 – reviewed 16 September 2026.