

Data Protection Policy (Online Only)

Business Name: Top SEN Tutor

Policy Type: Data Protection and Privacy (Online Provision)

Date of Issue: 1/1/26

Review Date: 1/1/27

1. Policy Statement

Top SEN Tutor is committed to protecting the privacy and personal data of all learners, parents/carers, tutors, staff, and stakeholders. As an online-only tuition provider, we recognise the importance of handling personal data lawfully, fairly, and securely, particularly where data relates to children and vulnerable adults.

This policy outlines how Top SEN Tutor collects, uses, stores, and protects personal data in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

2. Scope of the Policy

This policy applies to:

- All personal data processed by Top SEN Tutor
- Children, vulnerable adults, parents/carers, tutors, staff, contractors, and applicants
- All online systems, platforms, and digital communications used by Top SEN Tutor

This includes data processed through:

- Online tutoring platforms
- Video conferencing systems
- Email and messaging systems
- Learning management systems
- Secure cloud-based storage

3. Legal Framework

This policy is informed by:

- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018

- Privacy and Electronic Communications Regulations (PECR)
- Children Act 1989 and 2004 (where relevant to safeguarding)

4. Definitions

Personal Data: Any information relating to an identified or identifiable living individual.

Special Category Data: Personal data requiring additional protection, including data relating to health, special educational needs, disabilities, or safeguarding concerns.

Processing: Any operation performed on personal data, including collection, storage, use, sharing, or deletion.

Data Subject: The individual to whom the personal data relates.

5. Data Protection Principles

Top SEN Tutor will process personal data in accordance with the UK GDPR principles:

- Lawfulness, fairness, and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality (security)
- Accountability

6. Lawful Basis for Processing

Top SEN Tutor will identify and document a lawful basis for processing personal data, including:

- Consent
- Performance of a contract
- Legal obligation
- Vital interests
- Public task (where applicable)
- Legitimate interests

Special category data will be processed only where an additional lawful condition applies.

7. Data Collected

Top SEN Tutor may collect and process the following types of data:

- Names, contact details, and demographic information
- Parent/carer contact information
- Educational information and learning needs
- Special educational needs and disability information
- Safeguarding and welfare information
- Tutor and staff employment or contractual information
- Technical data such as IP addresses and login records

Only data that is necessary for service delivery and legal compliance will be collected.

8. Data Security and Storage

Top SEN Tutor will:

- Use secure, password-protected systems
- Apply appropriate access controls
- Encrypt data where appropriate
- Store data using reputable cloud-based services
- Regularly review security measures

Access to personal data will be restricted to authorised individuals only.

9. Data Sharing

Personal data may be shared:

- With tutors and staff on a need-to-know basis
- With parents/carers where appropriate
- With professional advisers (e.g. accountants, IT providers)
- With statutory agencies where legally required or to safeguard individuals

Data will never be sold or shared for marketing without explicit consent.

10. Data Retention

Personal data will be retained only for as long as necessary for:

- Service delivery
- Legal or contractual obligations
- Safeguarding requirements

A data retention schedule will be maintained and reviewed regularly. Data will be securely deleted or anonymised when no longer required.

11. Data Subject Rights

Individuals have the right to:

- Access their personal data
- Request rectification of inaccurate data
- Request erasure (where applicable)
- Restrict or object to processing
- Data portability (where applicable)
- Withdraw consent at any time

Requests will be responded to within statutory timeframes.

12. Children and Vulnerable Adults

Top SEN Tutor recognises that children and vulnerable adults require enhanced data protection. We will:

- Use clear, age-appropriate privacy information
- Seek parental/carer consent where required
- Apply additional safeguards to sensitive data

13. Data Breaches

Any actual or suspected data breach must be reported immediately to management. Top SEN Tutor will:

- Investigate the breach promptly
- Take steps to mitigate risk
- Report to the Information Commissioner's Office (ICO) within 72 hours where required
- Inform affected individuals where there is a high risk to their rights and freedoms

14. Responsibilities

Data Protection Lead: Sacha Hernandez-Downer/ Lead Tutor

Responsible for overseeing data protection compliance and responding to data protection queries.

All tutors and staff are responsible for:

- Protecting personal data
- Following this policy and related procedures
- Reporting data protection concerns promptly

15. Training and Awareness

Top SEN Tutor will ensure:

- Data protection training is provided at induction
- Regular updates and reminders are issued
- Staff understand their responsibilities when handling personal data

16. Monitoring and Review

This policy will be:

- Reviewed annually or when legislation changes
- Updated to reflect best practice
- Made available to tutors, staff, parents, and learners where appropriate

17. Policy Approval

This policy has been approved by Top SEN Tutor management and is effective from the date stated above.

Signed: _____

Name: Sacha Hernandez-Downer

Role: Lead Tutor/ DSL

Date: 1/1/2026