



REACHING OUTCOMES USING TAILORED EDUCATION & SKILLS

# DATA PROTECTION POLICY

## 2025-26

<b>Approved by:</b>	Mr Daniel Luford (Director) Mr Nick Lyons (Director)	<b>Date:</b> 01/04/23
<b>Last reviewed on:</b>	Review 31/08/25	
<b>Next review due by:</b>	31/08/26 (reviews may take place in response to safeguarding concerns)	

# Introduction

Routes Learning recognises the importance of respecting the personal privacy of all our staff and the need to build in appropriate safeguards during the collection, storage, processing and utilisation of personal data.

Personal data is any significant item of information relating to an individual past, current or potential subcontractors. We will principally collect and maintain such data to meet our legitimate interests as an employer and to comply with statutory requirements.

A personnel record is any printed or handwritten document or computer file which:

- refers by name (or any other means of identification) to a current, potential, or past Subcontractor, and
- represents a significant body of information about any matter of a potentially private or sensitive nature and
- is being stored or is intended for storage.

A subcontractor is any person who has been contracted by Routes Learning to provide tuition or mentoring support to young people.

All personal data will be:

- obtained by lawful and fair means and, where appropriate, with the knowledge or consent of the Subcontractor concerned.
- processed within the strict terms of the law and, where possible, in line with current 'best practice'
- relevant to the purposes for which it is to be used
- maintained in confidence and not used for purposes other than those intended during the process of collection except:
  - with the consent of the individual concerned or
  - by the authority of law
- adequate and not excessive in relation to the purposes for which it has been registered
- accurate, complete and kept up to date
- kept for no longer than is necessary for its declared purpose(s)
- held in full knowledge of the individual Subcontractor (except in cases specifically excluded under the 1998 Act)
- protected by reasonable security safeguards against such risks as loss or unauthorised access, destruction, use, modification or disclosure of data
- preserved in a form which permits identification of an individual for no longer than is strictly necessary

- protected from unauthorised cross border transmission to any other state which does not meet those standards laid down by the Council of Europe Convention (1981), the EC Data Protection Directive and the Data Protection Act 1998. All transmissions of personal data shall be on the understanding that controls in place within the recipient organisation shall be at least as effective as in Routes Learning.

The principal purposes for holding such data on personnel files are for future reference in respect to:

- recruitment, training, and/or career development
- or contacting next of kin or emergency contact and arranging medical attention for an Subcontractor whilst at work
- disciplinary purposes arising from a Subcontractor's conduct or ability to perform their job
- the provision of references to potential future employers, financial institutions or educational establishments.
- confirming the eligibility of all new and potential Subcontractors to work in the UK, under the Asylum and Immigration Act. A copy of relevant documentation will be held on the individual's personnel file

We may place all or part of our files onto a secure computer network and restrict access to personnel data. Access to individual Subcontractor data will only be given to Directors for specific and legitimate purposes.

We reserve the right to 'back up' data files and hold secure multiple copies of personal data relating to Subcontractors in order to protect our interests in the event of data loss.

## **Retention of Data**

We will retain personal data relating to job applicants, Subcontractors and former Subcontractors for no longer than is necessary. In most circumstances data will not be kept for more than 12 months beyond the date of termination of their services unless there are legal or regulatory requirements, or it can be justified for some other legitimate purpose.

## **Data Security**

You may find yourself at times in possession of personal information about people we support, colleagues, members of the public and suppliers. All such information whether held on manual or computerised systems must be kept strictly confidential and treated with care.

All Subcontractors are responsible for ensuring that:

- any personal data which you hold is kept securely
- personal data is not disclosed either verbally or in writing or otherwise to any unauthorised third party or without the consent of the individual concerned
- Wherever possible, personal data particularly sensitive data should not be e-mailed unless proper security measures are in place
- no personal data should be disclosed by telephone.
- passwords, access codes and other authorisation used to access personal data is safeguarded. Ensure at least one other authorised person is aware of any passwords you set up
- computer screens cannot be seen by unauthorised persons and you log off at all times when you are away from your workstation
- any personal data held on files or on laptops which is taken away from the office is kept securely and under no circumstances should this be accessible to any unauthorised persons

### **Access to personal data**

Everyone whose personal details are held by Routes Learning has the right to access those details, subject to some specific exceptions.

You will be asked on an annual basis to confirm the personal details we hold on you.

In order to ensure our records are kept up-to-date, you must inform Directors immediately of any changes to your personal details or circumstances.

If you wish to view the personal information held by Routes Learning about you, you should contact Directors to arrange a convenient date and time.

We have the right to withhold:

- i) information in the case of unreasonably regular requests from you
- ii) specific information if we cannot comply with your request without disclosing information relating to another individual who can be identified from that information except in cases where we are either:
  - satisfied that the other individual has consented to the disclosure of the information to you
  - that the data relating to another individual may be easily excluded from the data provided.
- iii) any data which is excluded through legislation on grounds of national security, breaches of ethics for regulated professions, or is relevant to any current investigation concerning any possible criminal/civil legal action.

You have the right to make any reasonable request for the amendment of your own record provided that:

- you can demonstrate an identifiable error, necessary update or relevant omission
- it is unlawful to maintain such a record.

Any request to correct or amend your records should be made to Directors.

Access to personal information relating to any Subcontractor from a third party will only be given if the Subcontractor has given consent for access.

### **Right to object**

You are entitled at any time, by notice in writing, to require us to cease within a reasonable time from processing any personal data because it is causing, or likely to cause, substantial damage or distress to yourself or another individual. The reasons for this request must be clearly stated and be fully justified.

In the case of a dispute concerning any specific application of this policy, the matter should be raised at the earliest opportunity with Directors.

### **Information relating to clients and third parties**

The principles of the Data Protection Act extend to information held by Routes Learning on the people it supports and any other third party who is an individual. The Act does not apply to data held in respect of organisations.

Routes Learning will inform its clients of the uses to which the information it holds about them may be used.

### **Requests to access personal data**

Any client has the right to request access to data held in a 'relevant filing system' i.e. the information is referenced to the individual or is structured in such a way that the information relating to a particular individual is readily accessible. This can be held in an electronic or manual form.

Clients wishing to have access to personal data (i.e. data relating to an identifiable person) should request this in writing to the Directors.

Where we are not able to comply with the request without disclosing information relating to another individual who can be identified from the information, it is not obliged to comply with the request unless:

- the other individual has consented to the disclosure of the information to the person making the request, or
- it is reasonable in all the circumstances to comply with the request without the consent of the other individual.

All steps possible to remove reference to this other individual will, however, be made.

There may be circumstances where information may be withheld where it is felt that disclosure of such information would prejudice the outcome of an on-going investigation. Routes Learning will endeavour to make available such information as soon as it is appropriate to do so.

If we are supplied with personal data, including sensitive personal data, relating to a third party, the person providing the data should be made fully aware of their responsibilities to comply with the relevant data protection laws including obtaining consent for the disclosure and use of such data, as appropriate.

### **Disclosure of client data to third parties**

Routes Learning recognises that it will be necessary to share personal information in relation to clients in order that they can receive adequate and appropriate support. All Subcontractors have a duty to keep such information confidentially within the Organisation. Information relating to an individual must not be disclosed outside the Organisation without the written consent of the person it relates to, except where:

- There is a legal requirement to share information – in these circumstances, the individual should be encouraged to give their consent. If the person is deemed unable to give their informed consent, the Directors will make a decision on what basis the information should be shared and record the reasons for this.
- Failure to share information could endanger the individual and/or others

Anyone who is uncertain about the sharing of information should check with the Directors prior to making any disclosure and make a record of it on the client's file.

### **Retention of personal data**

We will retain client information for a period of at least six years following completion of a matter to comply with limitation periods, regulatory requirements and the requirements of our professional indemnity insurers.

### **Breach of Policy**

Any Subcontractor who knowingly breaches or attempts to breach this policy will be subject to disciplinary action including possible dismissal. The Subcontractor may also be personally liable to criminal or civil action.

Any Subcontractor who becomes aware of a breach must report it immediately to the Director.