SEND Tuition with Hannah's Hub: Data Protection and GDPR Policy

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1. Introduction and Scope

This policy outlines how our tuition agency ensures compliance with data protection legislation.

Agency Model and Scope

Our business operates as an agency that introduces independent, self-employed tutors to clients (parents, guardians, and pupils).

- The agency acts as a Data Controller for the personal data it collects to run the agency, match tutors with clients, and manage billing.
- Self-employed tutors act as independent Data Controllers (or joint controllers depending on the specific arrangement) for the lesson logs, specific teaching notes, and direct communications they maintain with clients.

This policy applies to all personal data processed by our agency regarding pupils, parents, guardians and self-employed tutors.

2. Legal Framework

This policy satisfies the requirements of:

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

3. Data Protection Principles

We process personal data in strict accordance with the core UK GDPR principles. Data must be:

- Processed lawfully, fairly, and transparently.
- Collected for specified, explicit, and legitimate purposes.
- Adequate, relevant, and limited to what is necessary.
- Accurate and kept up to date.
- Kept in a form which permits identification for no longer than necessary.
- Processed securely to protect against unauthorised access, loss, or damage.

4. Lawful Bases for Processing

We only process personal data where a valid lawful basis exists:

- Contractual Necessity: To deliver agency matching services, process platform payments, and fulfill our agreements with parents and self-employed tutors.
- Legal Obligation: To comply with tax laws, financial reporting, and safer recruitment/safeguarding checks (e.g., DBS verifications).
- Consent: Where explicit permission is granted (e.g., marketing or specific photo usage).

- Legitimate Interests: To run, market, and improve our tuition agency efficiently, provided it does not override individuals' rights.

5. Roles and Responsibilities

Management

- Maintains overall accountability for agency data compliance.
- Ensures adequate resources, secure platform configurations, and tutor data agreements are in place.

Named Advisor

- Advises the agency on data protection obligations.
- Acts as the primary point of contact for the ICO, clients, and tutors.
- Oversees the management of data breaches and Subject Access Requests (SARs).

Self-Employed Tutors

- Must adhere to the data security clauses set out in the Hannah's Hub Tutor Agreement.
- Are responsible for protecting client data shared with them for the purpose of delivering tuition.
- Must report any suspected data breaches to the agency immediately.

6. Records of Processing and Risk Assessments

Record of Processing Activities (ROPA)

The agency maintains a formal ROPA detailing what data we collect from clients and self-employed tutors, why we collect it, where it is stored, and how long it is kept.

7. Data Storage, Systems, and Security

Primary Data Systems (TutorCruncher)

We use TutorCruncher as our primary management platform to store client, pupil, and self-employed tutor details.

- TutorCruncher acts as our data processor.
- We maintain a written Data Processing Agreement (DPA) with them.
- Self-employed tutors are granted restricted, role-based access to TutorCruncher to view schedules, log lesson reports, and view necessary student information.

Security Measures

- Electronic Records: Protected via strong passwords, multi-factor authentication (MFA), and role-based permissions to ensure tutors only see their assigned clients.
- Physical Records: Kept to a minimum and anonymised
- Access Control: Self-employed tutors lose access to client data on TutorCruncher once their contract with that specific client terminates.

8. Data Sharing and Safeguarding

Lawful Data Sharing

We securely share data with third parties only when a lawful basis exists. This may include sharing with:

- Self-Employed Tutors: Sharing pupil names, educational needs, and parent contact details to facilitate tuition delivery.
- Local Authorities: For statutory reporting, funding, or alternative provision arrangements.
- Exam Boards: To register pupils for examinations where requested by the client.

Safeguarding Principles
Data protection legislation does not prevent the sharing of information to safeguard children. In emergency or high-risk safeguarding scenarios, relevant information will be shared with emergency services, Local Authorities, or child protection agencies immediately, overriding standard confidentiality if necessary.

9. Individual Rights
Data subjects (tutors, parents, and pupils) hold the following rights:

- Access: To request copies of their personal data.
- Rectification: To correct inaccurate or incomplete data.
- Erasure: To request data deletion (where no overriding legal basis applies).
- Restriction: To limit how we process their data.
- Portability: To move their data to another provider.
- Objection: To object to processing based on legitimate interests or direct marketing.

Subject Access Request (SAR) Procedure

- Requests must be submitted in writing to the agency named advisor.
- We verify the individual's identity before releasing data.
- Information is provided free of charge.
- Responses must be delivered within one calendar month of receipt.
- *Note:* If a SAR relates to personal notes held independently by a self-employed tutor outside of TutorCruncher, the agency will liaise with the tutor to facilitate the request.

10. Data Retention and Disposal
Retention Schedules

- Pupil and Parent Records: Retained for 6 years after the client relationship with the agency ends.
- Self-Employed Tutor Records: Retained for 6 years after their agreement with the agency terminates (including application details and DBS check verification logs).
- Financial Records: Retained for 6 years plus the current tax year to meet HMRC rules.
- Safeguarding/Incident Records: Retained until the child's 25th birthday, or 75th birthday for any allegations or disclosures of sexual abuse.

Secure Disposal Methods

- Paper Records: Shredded on-site.
- Electronic Records: Permanently deleted from TutorCruncher, local drives, cloud storage, and backups.

11. Data Breaches
A personal data breach is any unauthorised destruction, loss, alteration, or disclosure of personal data.
Breach Process

1. Containment: Immediately stop the leak or secure the system. If a tutor loses a device containing client data, they must notify the agency immediately.
2. Assessment: The named advisor assesses the risk level to individuals.
3. ICO Notification: If the breach poses a risk to individuals, we notify the ICO within 72 hours of becoming aware.
4. Individual Notification: If the breach poses a high risk to individuals, we notify them without undue delay.

5. Logging: All breaches, regardless of severity, are recorded in our internal Breach Log.

12. Training and Transparency

Mandatory Data Security Guidance

- All registering self-employed tutors are provided with data protection guidance upon joining the agency network.
- Tutors are required to review this policy and sign a data compliance declaration as part of their written agency agreement.
- Tutors are provided with GDPR training by the agency prior to beginning tuition assignments.
- Training and policy acknowledgement records are maintained by management.

Privacy Notices

We maintain distinct, clear, and accessible Privacy Notices tailored for:

- Self-Employed Tutors (detailing how we process their professional data, references, and payment details).
- Pupils and Parents (detailing how we share their data with matched tutors and process payments through TutorCruncher).

These notices are provided at the point of registration and are published on our website.