

# Data Protection Agreement (All Learners)

Date: 19 August 2025

Jurisdiction: United Kingdom (UK GDPR + Data Protection Act 2018)

Disclaimer: This document is a template provided for informational purposes only and does not constitute legal advice.

## 1) Purpose

This Agreement sets out how we collect, use, store, and protect personal data for all learners using our educational services across **online, face-to-face, home-based, and company-based delivery**, covering **GCSE through professional development levels**.

## 2) Definitions

- **"Controller"**: The organization determining purposes and means of processing.
- **"Processor"**: The organization processing personal data on behalf of the Controller.
- **"Personal Data"**: Any information relating to an identified or identifiable natural person.
- **"Special Category Data"**: Personal data revealing racial or ethnic origin, health, etc.
- **"Corporate Client Data"**: Business-related personal data processed during company-based services.

## 3) Data We Process

### All Learners:

- Identity data (name, age/DoB, contact details, emergency contacts)
- Academic/Professional profile (subjects, level, goals, learning preferences, career objectives)
- Usage data (session logs, messages, resources accessed, location data for mobile services)
- Payment/Subscription metadata (no card numbers stored on our servers)

### Additional by Service Type:

- **Home-based services**: Address verification, household safety information
- **Company-based services**: Employee ID, department, manager details, business objectives

- **Professional development:** Industry certifications, career level, performance metrics
- **Safeguarding data:** Where strictly necessary to protect minors and vulnerable persons

## 4) Lawful Bases

- **Contract** (service delivery across all modalities)
- **Legitimate Interests** (service improvement, security, fraud prevention, professional development tracking)
- **Legal Obligation** (safeguarding, accounting, corporate compliance reporting)
- **Consent** (optional features; parental consent for minors under 18; employer consent for corporate services)

## 5) Service-Specific Processing

### Home-based Services:

- Location verification for educator safety
- Emergency contact protocols
- Household member awareness (where applicable)

### Company-based Services:

- Integration with corporate learning management systems
- Progress reporting to HR/L&D departments
- Compliance with client data retention policies

### Professional Development:

- Career progression tracking
- Industry benchmark comparisons
- Certification and accreditation records

## 6) Roles & Responsibilities

We act as **Controller** for individual learners and **Joint Controller or Processor** for corporate clients as defined in separate Data Processing Agreements. Vendors (video, analytics, scheduling, payment, location services) act as Processors under written contracts with appropriate TOMs.

## 7) Learners' Rights

Access, rectification, erasure, restriction, portability, objection, and withdrawal of consent.

**Corporate learners may need to coordinate through their employer for certain requests.**

Contact: **privacy@yourdomain.example**

## 8) Retention

### Individual Learners:

- Registration & academic records: 6 years after last activity
- Professional development records: 7 years for certification purposes
- Safeguarding records: Per statutory guidance

### Corporate Clients:

- Service delivery records: Per corporate contract terms (typically 3-7 years)
- Employee development records: Per client retention policies

## 9) International Transfers

Transfers outside UK/EEA use appropriate safeguards (UK ITDA, EU SCCs, adequacy decisions).

**Corporate clients requiring specific geographical restrictions will be accommodated per contract.**

## 10) Security

Multi-layered security including **encryption in transit and at rest**, role-based access controls, geo-fencing for location services, corporate network integration capabilities, logging & monitoring, vulnerability management, data minimization, periodic audits, and comprehensive staff training.

## 11) Subprocessors

Current list includes video conferencing, scheduling, cloud hosting, payment processing, and location verification services. **Corporate-specific processors listed in individual contracts.**

## 12) Data Breach

**24/7 incident response procedures** with notification to ICO and affected individuals within legal timeframes. Corporate clients receive immediate notification per contract terms.

### 13) Age and Consent Considerations

- Under 18: Parental/guardian consent required
- 16-17 in corporate settings: Employer and parental consent required
- University students: Individual consent with emergency contact provisions
- Professional learners: Individual or corporate consent as applicable

### 14) Corporate Compliance

For company-based services, additional compliance with client organization's data governance, industry regulations, and international standards as contractually agreed.

### 15) Contact

**Data Protection Officer:** dpo@yourdomain.example

**Address:** Your Company, Address Line, City, Postcode, UK

### 16) Agreement

By accepting these terms through registration, contract signature, or corporate agreement, you consent to this Data Protection framework.