



Data Protection and GDPR Policy

(Including TutorBird, Website, Xero, WhatsApp, Zoom & Media Consent)

Smart Skills Training Services Ltd / Smart Skills Tutoring Services

Date Approved: 01 October 2025 | **Review:** October 2026 or sooner if required

Website: www.smartskillstutoring.co.uk

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Directors: Brian Matanga & Stembie Mudumo

Principal / Data Controller: Stembie Mudumo

1. Policy Statement & Scope

This policy sets out how Smart Skills Training Services Ltd (trading as Smart Skills Tutoring Services) collects, uses, stores, and protects personal data for learners, parents/carers, staff, and partners across online and blended provision.

It applies to all systems and processes used by the organisation, including TutorBird (learning management), www.smartskillstutoring.co.uk (enrolment and course registration), Xero (invoicing and finance), WhatsApp group communities (class reminders, homework, progress updates), and Zoom (live sessions and recordings).

We comply with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, and the Privacy and Electronic Communications Regulations (PECR).

2. Legal Framework

This policy is informed by: UK GDPR; Data Protection Act 2018; PECR; Freedom of Information Act 2000 (where applicable); Keeping Children Safe in Education (KCSIE) 2025; and relevant ICO guidance.

3. Definitions

- **Personal Data** – any information relating to an identified or identifiable person.
Special Category Data – sensitive data (e.g., health, ethnicity) requiring extra protection.
- **Data Controller** – determines purposes/means of processing (Smart Skills Training Services Ltd via the Principal/Directors).
- **Data Processor** – processes data on behalf of the controller (e.g., TutorBird, Xero, hosting providers).
- **Data Subject** – the individual whose data is processed (learners, parents/carers, staff).

- Consent – a clear, affirmative act signifying agreement to processing of personal data.
- Data Breach – a security incident causing accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.

4. Roles & Responsibilities

- ✓ Data Controller: Smart Skills Training Services Ltd (Principal/Directors) – overall accountability.
- ✓ Data Protection Lead (DPL): Principal – day-to-day compliance, rights requests, breaches.
- ✓ All Staff & Tutors: follow this policy, complete training, use approved systems only, report incidents immediately.
- ✓ Processors (TutorBird, Xero, hosting): maintain GDPR-compliant contracts and adequate technical/organisational measures.

5. Data Protection Principles

We adhere to UK GDPR principles: lawfulness, fairness & transparency; purpose limitation; data minimisation; accuracy; storage limitation; integrity & confidentiality; accountability.

6. Lawful Bases for Processing

We process data under one or more lawful bases: Contract (education services); Legal Obligation (safeguarding, HMRC); Vital Interests; Legitimate Interests (quality assurance, service improvement, essential communications); and Consent (e.g., marketing, media use, certain recordings).

WhatsApp Group Communications – processed under Legitimate Interests to support learning and engagement; participation is voluntary and can be withdrawn at any time. Where optional and beyond essential communications, consent may apply.

Zoom Recordings & Media (Photos/Videos) – processing for lesson delivery and safeguarding may rely on Contract/Legitimate Interests; any capture, sharing, or publishing of media for non-essential purposes requires explicit written Consent. Consent can be withdrawn at any time by emailing info@smartskillstutoring.co.uk.

7. Data Collection, Storage & Security (TutorBird, Website, Xero, WhatsApp & Zoom)

- **TutorBird** – used for enrolment, timetables, attendance, assessments, communications. Access is role-based; encryption in transit/at rest; audit and access controls.
- **Website (www.smartskillstutoring.co.uk)** – enrolment/course registration forms over SSL; minimal data fields; restricted access to authorised staff.
- **Xero** – invoicing and financial records; strong authentication; encryption; access restricted to finance/management.
- **WhatsApp Group Community** – used for class reminders, homework, and progress updates. Only authorised staff administer groups. Names and phone numbers are visible to members; messages are end-to-end encrypted.

- **Staff maintain professionalism;** no unsupervised 1:1 contact with minors. Parents/carers are included where learners are under 18. Participation is voluntary; removal can be requested any time.
- **Zoom** – used for live lessons/meetings. Recordings are made only when necessary and stored securely with restricted access. No private one-to-one recording without prior consent and oversight. Media is retained only as long as needed for the stated purpose.

8. Consent for Photos, Videos & Promotional Use

Photos or short video clips may be used on Smart Skills' official website or social media strictly with explicit written consent from the learner (if over 13) or their parent/carer. Consent forms specify allowed uses (lesson recordings, internal QA, website, social media). Consent can be withdrawn at any time via info@smartskillstutoring.co.uk; previously published content will be removed where practicable.

9. Data Retention & Disposal

- We retain data only as long as necessary for the purpose collected and legal requirements: Learner academic records – up to 6 years after last contact (or longer if required by awarding bodies/safeguarding).
- Safeguarding records – in line with statutory guidance/local thresholds (often until at least age 25, or as advised).
- Financial records (Xero) – minimum 6 years (HMRC/Companies Act 2006).
- At end of retention, data is securely deleted/anonymised; paper records are cross-cut shredded; digital records deleted from active systems and removed from backups on next cycle where feasible.

10. Individual Rights & Requests (SARs)

Data subjects have rights to: be informed; access; rectification; erasure; restriction; portability; objection; and rights about automated decision-making. Requests should be sent to info@smartskillstutoring.co.uk. We respond within one month (extensions for complex cases permitted). Identity is verified; third-party data is protected.

11. Data Sharing & International Transfers

We share data with awarding bodies, exam centres, service providers (TutorBird, Xero, hosting/email/LMS), and regulators where necessary. All sharing is lawful, necessary, and proportionate. Where data is processed/stored outside the UK, we use appropriate safeguards (e.g., adequacy decisions, Standard Contractual Clauses) and assess transfer risks.

12. Data Breach Management

Suspected breaches must be reported immediately to the Principal/Data Protection Lead. We investigate, mitigate, and document incidents. If a breach risks individuals' rights and freedoms, we notify the ICO

within 72 hours and affected individuals without undue delay. We maintain an incident log and apply lessons learned.

13. Cookies, Marketing & PECR

Our website uses cookies for functionality and limited analytics. We provide a cookie notice and obtain consent where required. Marketing is sent with valid consent or soft opt-in, with clear opt-out options.

14. Training, Auditing & Accountability

All staff complete data protection training at induction and annually. We maintain records of processing activities, conduct periodic audits, and review processor contracts. DPIAs are completed where high risk is identified.

15. Monitoring & Review

This policy is reviewed annually or sooner if required by legislative change, ICO guidance, processor contract updates, or organisational changes. Updates are approved by the Directors and communicated to staff.

Appendix A – Parental/Guardian Consent Declaration (Media, Zoom & WhatsApp)

Learner Name: _____ Date of Birth: _____
Parent/Carer Name: _____ Relationship: _____
Email/Phone: _____

I consent to the following (tick all that apply):

- ☒ Participation in class WhatsApp group communications (with parent/carers included where under 18).
- ☒ Lesson recording via Zoom for educational/safeguarding purposes (not for public distribution).
- ☒ Use of learner photo(s)/short video clip(s) on Smart Skills' official website/social media for promotional/educational purposes.
- ☒ Conditions: I may withdraw consent at any time by emailing info@smartskillstutoring.co.uk. Previously published media will be removed where practicable.

Signature: _____ Date: _____

Approved by: Brian Matanga (Managing Director)

Reviewed by: Stembie Mudumo (Director & Principal / Data Controller)