

Data Protection Policy

OUR COMMITMENT

Education Together Ltd, trading as Embrace England, is committed to protecting the safety and security of our users' data, including students, staff, group leaders, agents, homestay hosts, and parents. We are committed to handling all personal data collected in line with the data protection principles and the General Data Protection Regulation and Data Protection Act (2018). Changes to data protection legislation shall be monitored and implemented in order to remain compliant with all requirements. The Director, Jon Bell, is the organisation's Data Protection Lead and is responsible for ensuring compliance with the UK GDPR and the Data Protection Act 2018.

We are also committed to ensuring that staff are aware of data protection policies, legal requirements and adequate training is provided to them. The requirements of this policy are mandatory for all staff employed by Embrace England and any third party contracted to provide services to the organisation. This policy is supplemented by a privacy notice, available in the final section of this document.

NOTIFICATION

Breaches of personal or sensitive data shall be notified to the ICO within 72 hours of us becoming aware and to individuals where there is a high risk to their rights and freedoms.

PERSONAL AND SENSITIVE DATA

All information held by Embrace England that relates to an identifiable individual is treated as personal data. Some types of personal data are legally defined as special category data (for example, information about health, ethnicity, or religion) and are subject to additional protections.

We are committed to handling all personal data in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. In line with these regulations, we ensure that all personal data is:

1. Processed lawfully, fairly and transparently
2. Collected only for specified, explicit and legitimate purposes, and not further processed in a way that is incompatible with those purposes
3. Adequate, relevant and limited to what is necessary for the purposes for which it is processed
4. Accurate and, where necessary, kept up to date
5. Kept for no longer than is necessary for the purposes for which it is processed (in line with our retention schedule)
6. Processed securely, using appropriate technical and organisational measures to protect against unauthorised or unlawful use, loss, or damage
7. Accountable – we take responsibility for the personal data we process and can demonstrate compliance with these principles

Special category data is processed only where strictly necessary and where a lawful basis and a specific condition for processing under Article 9 UK GDPR are met (for example, explicit consent or safeguarding obligations).

LAWFUL BASIS AND DATA PROTECTION RIGHTS

Embrace England processes personal data in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. All personal data must be collected, stored, and used only where there is a **lawful basis** for processing. The main lawful bases we rely on include:

- **Consent** – The individual has explicitly given permission for a specific processing activity. Consent must be documented and can be withdrawn at any time.
- **Contract** – Processing is necessary to fulfil contractual obligations to the individual, for example providing educational services, homestay arrangements, or other agreed services.
- **Legal obligation** – Processing is necessary to comply with a statutory or legal requirement, such as safeguarding, tax reporting, or regulatory obligations.
- **Vital interests** – Processing is necessary to protect someone's life or health, for example in an emergency affecting a student, staff member, or other service user.

Employees and contractors must be aware that the lawful basis used may affect which rights individuals can exercise. UK GDPR grants individuals the following rights, which staff must respect and facilitate:

1. **Right of access** – Individuals can request confirmation of whether their personal data is processed, and access to a copy of their data.
2. **Right to rectification** – Individuals can request correction of inaccurate or incomplete personal data.
3. **Right to erasure** – Individuals can request deletion of personal data where retention is not legally required.
4. **Right to restriction of processing** – Individuals can request that processing be limited under certain circumstances.
5. **Right to object** – Individuals can object to processing on the basis of legitimate interests or for direct marketing purposes.
6. **Right to data portability** – Individuals can request transfer of their personal data to another controller in a structured, commonly used, and machine-readable format.
7. **Right to withdraw consent** – Where processing is based on consent, individuals may withdraw consent at any time; this does not affect the lawfulness of prior processing.

All requests to exercise these rights must be handled in accordance with the procedures set out in this policy and responded to **without undue delay and within one month**. Staff should escalate any complex or unclear requests to the Data Protection Lead.

FAIR PROCESSING

We shall be transparent about the intended processing of data and communicate these intentions via notification to staff, agents, parents, homestays, group leaders and students at the point of collection. Notifications shall be in accordance with ICO guidance and, where relevant, be written in a form understandable by those defined as 'Children' under the legislation. The intention to share data relating to individuals to an organisation outside of Embrace England shall be clearly defined and details of the basis for sharing given. Data will be shared with external parties in circumstances where it is a legal requirement to provide such information (e.g. HMRC, ICO) Any proposed change to the processing of individual's data shall first be notified to them.

DATA SECURITY

In order to assure the protection of all data being processed and inform decisions on processing activities, we shall undertake an assessment of the associated risks of proposed processing and equally the impact on an individual's privacy in holding data related to them. Risk and impact assessments shall be conducted in accordance with guidance given by the ICO. Security of data shall be achieved through the implementation of proportionate physical and technical measures. This is achieved through restricted access, password protection and staff training. Nominated staff shall be responsible for the effectiveness of the controls implemented and reporting of their performance. The security arrangements of any organisation with which data is shared shall also be considered.

DATA ACCESS REQUESTS (SUBJECT ACCESS REQUESTS)

All individuals whose data is held by us, have a legal right to request access to such data or information about what is held. We shall respond to such requests within one month and they should be made in writing via email to: Embrace England, admin@embraceengland.org, or via post to Embrace England, 73 Green Lane, York, YO24 3DJ, UK.

PHOTOGRAPHS AND VIDEO

Images of students, homestays, group leaders, parents and staff may be captured during various activities as part of our service. We will only use such images for publication or promotional purposes where we have appropriate consent. However, images may also be used without consent where we have a lawful basis to do so, for example where necessary for safeguarding, security, or legal compliance.

DATA DISPOSAL

Embrace England recognises that the secure disposal of redundant data is an integral element to compliance with legal requirements and an area of increased risk. All data held in any form of media (paper, tape, electronic) shall be destroyed or eradicated to agreed levels meeting recognised national standards.

PRIVACY NOTICE

Our privacy notice is available online it includes details of our retention schedule and is available here on our website: <https://embraceengland.org>

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