



BLACKBURNE
HOUSE

Data Protection Policy

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Introduction & Background

This Data Protection Policy sets out the Blackburne House Group's (BHG) commitment and approach to data protection. The policy's objectives are:

- To provide a clear frame of reference for stakeholders to determine the BHG Group's standards, aims, and ideals in respect of data protection compliance.
- To provide information to data subjects, data processors and the regulatory authorities about how the BHG Group approaches data protection compliance.

Scope of Activities

BHG operates across a diverse range of services and activities, including:

- Education
- Wellness
- Nursery
- Conference & Events
- Bistro Café Bar
- Clatterbridge Café (within Clatterbridge Cancer Centre Liverpool)

Within all these areas, BHG is committed to upholding the principles of data protection and ensuring full compliance with the UK General Data Protection Regulation (UK GDPR) and all applicable data protection legislation. Personal data is processed lawfully, fairly, and transparently, with appropriate safeguards in place to protect the rights and freedoms of individuals.

The processing of personal data in the United Kingdom is regulated by law. The principal legal instruments governing data protection are the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. The UK GDPR is retained EU law, originally derived from the EU GDPR, and was incorporated into UK law following the UK's exit from the European Union on 1 January 2021. The Data Protection Act 2018 complements the UK GDPR by providing additional provisions, including those relating to law enforcement and special category data.

In June 2025, the Data (Use and Access) Act 2025 was enacted, introducing further changes to the UK's data protection framework, including updates to automated decision-making, cookies, and recognised legitimate interests.

Other laws interrelated with the UK GDPR and the DPA 2018 include the Privacy and Electronic Communications Regulations (2003) and the Freedom of Information Act (2000). These laws are collectively referred to in this Policy as Data Protection Legislation.

Data Protection Legislation sets out legal responsibilities for all parts of the BHG Group that process personal data and provides individuals with rights under the law. This Policy describes the BHG Group's approach to complying with its legal obligations under the Data Protection Legislation and how it enables individuals' rights to be

upheld and exercised.

Penalties for non-compliance with data protection law can include fines of up to £17.5 million or 4% of the prior year's global annual turnover, whichever is greater, as set out under the UK GDPR and the Privacy and Electronic Communications Regulations (PECR). There are also a number of criminal offences under the Data Protection Act 2018 and related legislation, for which individuals may be held accountable and prosecuted in court.

Policy Statement

The Board and Executive Leadership Team (ELT) of the BHG Group are fully committed to complying with all applicable Data Protection Legislation. To support this commitment, the ELT will formally delegate appropriate powers and responsibilities to staff across the organisation, ensuring that data protection and information governance standards are consistently upheld.

The BHG Group will ensure that all relevant staff, contractors, and third parties commissioned to process personal data on its behalf receive appropriate and sufficient training in the application of its data protection policies and procedures.

ELT will allocate adequate resources to ensure the organisation meets both its legal obligations under the Data Protection Legislation and the internal standards it sets through its policies.

The BHG Group will adhere to the core principles of data protection and maintain robust accountability mechanisms. This includes implementing controls to demonstrate compliance, maintaining records of processing activities, conducting risk assessments, and documenting decisions related to data processing.

The BHG Group is committed to upholding the rights and freedoms of individuals as conferred by the Data Protection Legislation. These rights will be actively considered in decision-making processes, and appropriate procedures will be maintained to support individuals who wish to exercise their rights.

Policy Headlines

During its day-to-day operations, the BHG Group processes personal data relating to employees, learners, and other individuals for academic, administrative, commercial, financial, and funding purposes. All personal data held and processed by the BHG Group must comply with applicable Data Protection Legislation.

This means that personal data:

1. Shall be processed lawfully, fairly, and in a transparent manner.
2. Shall be collected for specified, explicit, and legitimate purposes and not further processed in a manner incompatible with those purposes.
3. Shall be adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed.
4. Shall be accurate and, where necessary, kept up to date.
5. Shall not be kept for longer than is necessary for the purposes for which the personal data is processed.
6. Shall be processed in a manner that ensures appropriate security, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organisational measures.
7. Shall be processed in accordance with the rights of data subjects under the UK GDPR and the Data Protection Act 2018.
8. Shall not be transferred outside the United Kingdom unless appropriate safeguards are in place to ensure an adequate level of protection for the rights and freedoms of data subjects.

Policy Detail

Fair, Lawful and Transparent Processing

The BHG Group is committed to ensuring that all personal data is processed fairly, lawfully, and transparently. This means:

- **Fairness** – No data collection activities will be undertaken or commissioned without an appropriate privacy notice being provided to the individual from whom data is being collected. Where personal data is obtained from sources other than the data subject, privacy information will also be provided to the individuals concerned. All privacy notices and any updates must be approved by the Executive Leadership Team (ELT).
- **Lawfulness** – Data collection will only occur where there is a valid legal basis for processing, in line with the UK GDPR and the Data Protection Act 2018.
- **Transparency** – The BHG Group will provide clear and accessible information about how personal data is processed, enabling individuals to understand how their data is used and to exercise their rights effectively.

Data Processing Purposes

Personal data will only be collected, created, or otherwise obtained for specific, explicit, and legitimate purposes. The BHG Group maintains a register of data processing activities and their associated purposes. Data process owners are responsible for ensuring that all processing activities they undertake or commission are compliant, and that personal data is not used for any purpose other than that for which it was originally collected.

Data Minimisation

The BHG Group will strive to limit the personal data it collects and processes to what is strictly necessary. Managers are responsible for ensuring that no unnecessary, irrelevant, or unjustifiable personal data is collected or created, either directly or indirectly, through the activities they oversee.

Data Retention

Personal data will not be retained for longer than necessary. At the end of its useful life, appropriate measures such as secure erasure or anonymisation will be applied. Data process owners are responsible for determining retention periods for the data they manage, and the BHG Group maintains a data retention schedule outlining approved retention periods and end-of-life procedures.

Information Security

The BHG Group will ensure that all personal data it processes or commissions is protected against unauthorised or unlawful processing, and against accidental loss, destruction, or damage. This will be achieved through appropriate technical and organisational measures. An Information Security Policy is maintained to set out specific controls for ensuring the confidentiality, integrity, and availability of personal data. See the Information Security Statement section of this policy for further details on how the BHG Group is updating and future proofing its approach to information security in alignment with the Data (Use and Access) Act 2025 (DUAA).

Accountability and Record Keeping

- Accountability – The BHG Group uses the ICO’s Accountability Framework to assess and demonstrate compliance with Data Protection Legislation.
- Record Keeping – To meet its legal obligations, the BHG Group maintains records of all processing activities it controls, undertakes, or commissions, in accordance with Article 30 of the UK GDPR. This record will be updated in line with future ICO guidance under the Data (Use and Access) Act 2025 to ensure continued compliance and transparency.

Information Rights

The BHG Group recognises and upholds the rights of individuals whose data it processes. It ensures that individuals are informed of their rights and maintains procedures to identify and respond to rights requests appropriately. These rights include:

- a. Right to be informed about data processing
- b. Right of access to personal data
- c. Right to data portability
- d. Right to rectification
- e. Right to erasure
- f. Right to restrict processing
- g. Right to object to direct marketing
- h. Right to object to certain types of processing
- i. Right not to be subject to automated decision-making in certain circumstances
- j. Right to lodge a complaint and seek judicial remedy or compensation

Data Subject Access Rights (DSAR)

The BHG Group recognises and respects the rights of individuals whose personal data we process. We are committed to responding to requests in a timely, transparent, and supportive manner.

Data subjects have the right:

- a. To request access to any personal information we hold about them, free of charge and within one calendar month.
- b. To request the deletion or erasure of their personal data, also free of charge and within one calendar month.
- c. To request correction of inaccurate or incomplete data, with confirmation provided in writing once the update is complete.
- d. To request the restriction of processing of their personal data—processing will be paused until the matter is resolved or the restriction lifted.
- e. To object to certain types of processing, including direct marketing, profiling, or automated decision making, such requests will be honoured without delay.
- f. To receive their personal data in a readable format or request its transfer to another organisation.
- g. To lodge a complaint about how their data has been handled.
- h. To seek a fair judicial remedy if their complaint is not resolved to a satisfactory standard.
- i. To claim compensation from the data controller, processor, or supervisory authority for any infringement of their rights.

The BHG Group acknowledges that individuals may raise concerns about:

- How their personal data has been processed
- How their access request has been handled
- How their complaint has been managed
- Any decision made following a complaint

Consent

The BHG Group interprets consent in line with the definition provided by the Information Commissioner's Office (ICO). Consent will only be considered valid where:

- There is a genuine choice.
- It has been explicitly and freely given, representing a specific, informed, and unambiguous indication of the data subject's wishes.
- It is given through clear affirmative action or a statement by the data subject.
- The BHG Group can demonstrate that the individual was fully informed about the data processing and that valid consent was obtained lawfully.
- A clear and accessible mechanism is provided for individuals to withdraw their consent, and the process for doing so is as straightforward as giving it. Individuals are informed of this right at the point of consent.

The BHG Group recognises that consent may be rendered invalid if any of the above conditions cannot be verified. Consent is not considered indefinite, and a refresh period will be determined for each instance where consent is the lawful basis for processing.

Personal Data Breaches

The BHG Group has a clear process in place for identifying, reporting, and responding to personal data breaches. All staff and individuals with access to personal data are expected to follow this process and are made aware of their responsibilities under this policy.

Any suspected or confirmed breach must be reported immediately to the individual's Line Manager and the Data Protection Lead via the Data Protection inbox. All incidents are logged and investigated without delay. Remedial action is taken promptly to contain the breach, assess its impact, and support recovery.

Data protection near misses are treated with the same level of attention to help prevent future incidents. The breach response process outlines roles, decision-making criteria, and timelines for notifying affected individuals, the Information Commissioner's Office (ICO), and, where necessary, the media.

This process will be reviewed and updated in line with future ICO guidance following the implementation of the Data (Use and Access) Act 2025 (DUAA).

In the event of a significant personal data breach, such as one involving large volumes of sensitive data, high-risk individuals, or reputational impact, the BHG Group will self-report to the Information Commissioner's Office (ICO) in line with its legal obligations and commitment to transparency.

While the organisation does not anticipate incidents on the scale of recent high-profile breaches (e.g. Jaguar Land Rover, Co-op, Marks & Spencer), it recognises the importance of acting swiftly and responsibly should such a situation arise.

Data Processors

To support operational efficiency, the BHG Group may contract out data processing activities. No third-party data processor will be appointed unless they can provide satisfactory assurances of compliance with Data Protection Legislation.

Colleagues seeking to appoint a data processor must carry out appropriate due diligence, particularly in relation to information governance and data protection. A written agreement will be established that meets legal requirements and sets out expectations, including what happens to personal data at the end of the contract.

No employee may commission or appoint a third party to process data on behalf of the BHG Group without following this policy.

The recording of data processors will be reviewed and updated in line with the Data (Use and Access) Act 2025 (DUAA) once the ICO has released supporting guidance.

Data sharing, disclosure and transfer

The BHG Group will only share or disclose personal data internally or with third parties where there is a clear legal basis and sharing is necessary for defined purposes. No data sharing will take place without a legally enforceable agreement that meets the requirements of Data Protection Legislation.

Staff will be provided with guidance on safe and approved methods for transferring personal data. Only these approved methods must be used. Disciplinary action may be taken against individuals who fail to follow the data transfer policy or use insecure methods.

Internationalisation of personal data

The BHG Group will not transfer or process personal data outside the United Kingdom (UK) unless the conditions set out in Data Protection Legislation are met, ensuring that the level of protection for individuals is not compromised.

Children's Data

Special measures will be applied when processing personal data relating to children under the age of 13. These include tailored privacy information and a sensitive approach to handling information rights requests.

These measures are detailed in the Nursery policies and procedures, which form part of the BHG Group's wider safeguarding and data protection framework.

Training and Awareness

The BHG Group will ensure that all individuals engaged in processing personal data, whether directly or indirectly, receive appropriate training. This includes understanding their responsibilities under this policy and other related data protection procedures.

Audit and compliance checking

Regular compliance checks will be carried out to assess adherence to data protection policies and the effectiveness of control measures. Where non-conformance is identified, corrective action will be required.

Records of audits and compliance checks will be maintained, including any corrective actions raised. Disciplinary action may be taken against individuals who fail to respond appropriately to audit findings. A summary of audit outcomes will be reported periodically to the Finance, Audit & Risk Committee.

Management and supervisory staff responsibilities

The Chief Executive is the accountable officer for the BHG Group and is responsible for ensuring that mechanisms are in place to support service delivery and continuity. Protecting personal data and maintaining confidentiality are central to the organisation's ability to operate effectively.

Managers must ensure that all staff within their areas of responsibility are aware of this policy and other relevant procedures. They are responsible for ensuring compliance with this policy and for making sure that staff are appropriately trained and supported in their data protection responsibilities.

Staff Responsibilities

All staff, including employees, volunteers, casual/temporary workers, and directors—are expected to:

- Ensure that any personal information they provide to the BHG Group in connection with their role is accurate and up to date.
- Inform the BHG Group of any changes to their personal information (e.g. change of address). The organisation cannot be held responsible for errors it has not been made aware of.
- Adhere to this policy when receiving, handling, processing, or communicating personal data. This includes, but is not limited to, information about learners, colleagues, or other data subjects (e.g. coursework, references, or personal circumstances).
- Understand that unauthorised or inappropriate disclosure of personal data may be treated as a disciplinary matter and could constitute gross misconduct.

- Ensure that learners they supervise—whose work involves processing personal data—are aware of the Data Protection Principles, particularly the need to obtain consent from data subjects where appropriate.

Employee and Learner responsibilities

All employees and learners are expected to:

- Ensure that any personal information they provide to the BHG Group is accurate and up to date.
- Notify the organisation of any changes to their personal information (e.g. change of address).
- Understand that the BHG Group cannot be held responsible for errors it has not been informed of.
- Learners who process personal data for research or study purposes must notify their teaching staff, who will ensure that any data collection or use is in line with this policy.

Partner & Third-Party Responsibilities

Any partner or third party commissioned by the BHG Group to process personal data, receive data, or access personal data must complete an Information Sharing Agreement. The nature of this protocol will be determined by the level of involvement with the data being held, shared, or accessed.

All such agreements must be approved by the Data Protection Lead and a member of the Executive Leadership Team (ELT).

Note on Legislative Updates and Guidance Development

The BHG Group acknowledges the enactment of the Data (Use and Access) Act 2025 (DUAA), which introduces significant amendments to UK data protection law, including changes to automated decision-making, recognised legitimate interests, cookies, and complaints handling.

At the time of this policy's publication, the Information Commissioner's Office (ICO) has not yet released finalised guidance incorporating these changes into the UK GDPR framework. The ICO is currently consulting on draft guidance and has indicated that updates will be phased in over time.

The BHG Group will continue to follow existing UK GDPR and Data Protection Act 2018 guidance and will review and update this policy as new ICO guidance becomes available. In the interim, we will take a risk-based and proportionate approach to implementing DUAA provisions, ensuring that any changes to our data processing practices are documented, justified, and aligned with the principles of fairness, transparency, and accountability.

Strategic Information Security Statement (DUAA-Aligned)

The BHG Group recognises the critical importance of robust information security in protecting personal data and maintaining trust with stakeholders. As part of our ongoing commitment to future proofing the organisation, we are actively developing a comprehensive Information Security Policy.

This policy will align with the requirements of the UK GDPR, the Data Protection Act 2018, and the Data (Use and Access) Act 2025 (DUAA), and will reflect the systems, hardware, software, and operational processes currently being implemented to enhance data protection across the organisation.

In the interim, the BHG Group applies core security principles, including access controls, secure data handling, and staff awareness, to ensure that personal data is protected against unauthorised access, loss, or misuse.

The Executive Leadership Team (ELT) will oversee the integration of the Information Security Policy into the wider governance framework, ensuring it supports both compliance and the strategic direction of the organisation. The policy will be updated in line with future ICO guidance on the DUAA to ensure continued alignment with regulatory expectations.