



School of Hard Knocks Data Protection Policy

Last reviewed on: September 2026

Last reviewed by: Megan Gaffney, Operations Manager

Policy owner: Operations Manager / Data Protection Lead

Next review due: September 2029

Policy Statement

School of Hard Knocks (SOHK) recognises that, in the course of its work supporting young people, staff and volunteers, it collects and processes personal data - including special category data relating to children - and is committed to handling this data lawfully, fairly and securely. This policy sets out SOHK's approach to compliance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 (DPA 2018), and the Privacy and Electronic Communications Regulations 2003 (PECR), each as amended by the Data (Use and Access) Act 2025 (DUAA).

This policy applies to all trustees, employees, volunteers and contractors who process personal data on SOHK's behalf, and should be read alongside SOHK's Safeguarding Policy, Information Security guidance, and Disciplinary and Grievance Procedure.

1. Data Protection Principles

Article 5 of the UK GDPR requires that personal data shall be:

- a. processed lawfully, fairly and in a transparent manner;
- b. collected for specified, explicit and legitimate purposes, and not further processed in a manner incompatible with those purposes;
- c. adequate, relevant and limited to what is necessary for the purposes for which it is processed;
- d. accurate and, where necessary, kept up to date;
- e. kept in a form permitting identification of data subjects for no longer than necessary;
- f. processed in a manner that ensures appropriate security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage.

SOHK is also accountable for demonstrating compliance with these principles.

2. General Provisions

- This policy applies to all personal data processed by SOHK, including data relating to children, families, schools, staff, volunteers, trustees and supporters.
- [Policy owner role] is responsible for SOHK's ongoing compliance with this policy and acts as SOHK's data protection lead.

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- This policy will be reviewed annually, or sooner if there is a material change in the law.

3. Lawful, Fair and Transparent Processing

- SOHK maintains a Register of Systems recording the contexts in which personal data is held, reviewed at least annually.
- Individuals have the right to access their personal data, and requests will be handled in line with Section 6 below.
- Where SOHK works with children, privacy information will be provided in a way that is age-appropriate and accessible.

4. Lawful Bases for Processing

- All processing must rely on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task, legitimate interests, or since the DUAA's reforms, one of the specific **recognised legitimate interests** set out in the UK GDPR (which include processing necessary for safeguarding purposes). See [ICO guidance](#) for more information.
- Special category data (e.g. health, ethnicity, or safeguarding-related information about children) will only be processed where an additional Article 9 condition is met.
- The applicable lawful basis for each processing activity must be recorded in the Register of Systems.
- Where consent is relied upon, evidence of opt-in consent will be kept with the personal data, and individuals must be able to withdraw consent as easily as they gave it.

5. Data Minimisation and Accuracy

- Personal data collected must be adequate, relevant and limited to what is necessary for the purpose.
- Reasonable steps will be taken to keep personal data accurate and, where necessary, up to date.

6. Individual Rights and Data Subject Access Requests (DSARs)

Individuals have the right to: be informed how their data is used; access their data; have inaccurate data corrected; request erasure; restrict or object to processing; data portability; and rights related to automated decision-making.

- DSARs should be directed to [role/email] and will be responded to within one calendar month, extendable by two further months for complex requests.
- Under the DUAA, SOHK is only required to carry out a “reasonable and proportionate” search in response to a DSAR, and may stop the clock while clarifying a request with the individual.
- Requests may be refused or charged for if manifestly unfounded or excessive.

7. Data Protection Complaints

Individuals have the right to complain directly to SOHK about how their personal data has been handled, as well as to the Information Commissioner's Office (ICO). In line with the DUAA:

- Complaints may be submitted by email and will be accepted however they are made.

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- SOHK will acknowledge receipt within 30 days.
- SOHK will investigate without undue delay and keep the complainant informed of progress.
- A record of complaints and their resolution will be kept.
- Individuals will be told of their right to complain to the ICO if unsatisfied with SOHK's response (ico.org.uk).

8. Archiving and Retention

- SOHK maintains a retention schedule for each area in which personal data is processed, reviewed annually, setting out what is retained, for how long, and why.

9. Security

- Personal data is stored securely using up-to-date protection software and access controls limiting data to those who need it.
- Deleted data must be rendered irrecoverable.
- Appropriate back-up and disaster recovery arrangements are in place.

10. Data Breaches

In the event of a breach leading to accidental or unlawful destruction, loss, alteration, or unauthorised disclosure of or access to personal data, SOHK will promptly assess the risk to individuals' rights and freedoms and, where required, report the breach to the ICO within 72 hours of becoming aware of it. Staff must report any suspected breach to the Operations Manager immediately.

11. Direct Marketing and Electronic Communications (PECR)

- Direct marketing by email or text to an individual subscriber requires consent under PECR; marketing sent to a corporate address (e.g. a school's generic office email) generally does not.
- Emails promoting SOHK's charitable aims count as direct marketing, not just commercial marketing, and are subject to the same rules.
- **Charitable purpose soft opt-in:** since February 2026, the DUAA allows charities to email or text supporters without prior consent where: the sole purpose is to further SOHK's charitable purposes; SOHK obtained the details when the person expressed interest in, or offered support to, SOHK's work; and the person was offered a simple opt-out at collection and in every subsequent message. This replaces the previous position under which the soft opt-in was not available to charities.
- Consent, once given, must be as easy to withdraw as to give.

12. Training and Responsibilities

- All staff and volunteers handling personal data will receive data protection training appropriate to their role, refreshed periodically.
- Line managers are responsible for ensuring their teams follow this policy in practice.

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