

Mary Pugsley MBE

Director, Hair at the Academy



Data Protection & GDPR Policy

Written by Mary Pugsley MBE

Last reviewed 18/04/2026

Next review date 17/04/2027

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Hair@theAcademy is a company limited by guarantee, registered in England and Wales, number 9223155.

Registered office: 8 Feltrim Avenue Exeter Devon EX24RP UKPKN 10047420

Purpose and scope

This policy explains how Hair at the Academy and its training salon operations, including how Hair at the Academy protects personal data relating to learners, pupils, clients, staff, volunteers, parents and carers, governors, contractors, visitors and other individuals. Personal data must be handled lawfully, fairly, transparently and securely, whether it is held electronically or on paper.

The policy applies to all employees, workers, volunteers, governors, contractors and third parties who process personal data for or on behalf of Hair at the Academy. Failure to comply may result in disciplinary or contractual action.

2. Legal framework

Hair at the Academy will comply with applicable UK data protection and privacy law, including:

- The UK General Data Protection Regulation (UK GDPR) <https://www.gov.uk/data-protection>
- The Data Protection Act 2018, as amended <https://www.gov.uk/data-protection>
- The Data (Use and Access) Act 2025 (DUAA), <https://www.gov.uk/guidance/data-use-and-access-act-2025-data-protection-and-privacy-changes> whose data protection and Privacy and Electronic Communications provisions are in force
- The Privacy and Electronic Communications (EC Directive) Regulations 2003 (PECR), <https://www.legislation.gov.uk/uksi/2003/2426/regulation/6/made> as amended, where electronic marketing, cookies or similar technologies are used
- The Protection of Freedoms Act 2012 <https://www.gov.uk/government/publications/protection-of-freedoms-bill> and relevant surveillance camera requirements, where applicable
- Current guidance and codes issued by the Information Commissioner's Office (ICO) <https://ico.org.uk/>

This policy must be read alongside the privacy notices, retention schedule, safeguarding and child protection policy, information security arrangements, CCTV information, consent forms and breach-response procedure.

3. Data protection principles

Hair at the Academy is responsible for, and must be able to demonstrate, compliance with the following principles. Personal data will be:

- Processed lawfully, fairly and transparently
- Collected for specified, explicit and legitimate purposes and not reused incompatibly, subject to lawful exceptions and the updated purpose-limitation rules
- Adequate, relevant and limited to what is necessary
- Accurate and, where necessary, kept up to date
- Kept in identifiable form for no longer than necessary
- Protected by appropriate technical and organisational security measures
- Processed in a way that demonstrates accountability

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4. Definitions

Personal data

Information relating to an identified or identifiable living person. Examples include names, contact details, identification numbers, location information, online identifiers, attendance records, consultation records and photographs.

Special category data

More sensitive personal data requiring additional protection, including racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, genetic data, biometric data used for identification, health data, sex life and sexual orientation.

Criminal offence data

Information about criminal allegations, proceedings or convictions. It may be processed only where a lawful condition and appropriate safeguards apply.

Processing

Any operation performed on personal data, including collection, recording, organisation, storage, alteration, retrieval, consultation, use, disclosure, restriction, erasure or destruction.

Data subject

The living individual to whom personal data relates.

Data controller

The organisation that decides why and how personal data is processed.

Data processor

An organisation or person that processes personal data on behalf of a controller, such as an approved booking, assessment, cloud-storage or IT service provider.

Personal data breach

A security breach causing accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.

5. Controller and accountability

Hair at the Academy is the data controller for personal data where it determines the purposes and means of processing. It will maintain any required ICO registration and fee, records of processing activities appropriate to its operations, current privacy notices, consent records, processor contracts, staff training records, breach records, data audits and risk assessments.

The Director has overall responsibility for data protection governance and will ensure that adequate time, authority and resources are available for compliance.

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6. Data protection lead and DPO

Hair at the Academy will nominate a data protection lead to oversee this policy, advise staff, monitor compliance, coordinate rights requests and complaints, support audits and Data Protection Impact Assessments, and act as a contact point for individuals and the ICO.

A formal Data Protection Officer (DPO) will be appointed only where the legal criteria require one, including where Hair at the Academy is acting as a public authority or body for the relevant processing, or where its core activities involve large-scale regular and systematic monitoring or large-scale processing of special category or criminal offence data. If a DPO is appointed, the role will operate independently, report to the highest management level and be given appropriate resources. The DPO will not be penalised for performing their statutory duties.

7. Lawful bases and sensitive data

Before processing personal data, Hair at the Academy will identify and document an appropriate lawful basis. Depending on the activity, this may include contract, legal obligation, legitimate interests, public task where applicable, vital interests or consent.

Consent will not be used where an individual has no genuine choice or another lawful basis is more appropriate. Where consent is used, it must be freely given, specific, informed, unambiguous, recorded and as easy to withdraw as to give. Withdrawal does not make earlier lawful processing unlawful.

Special category and criminal offence data will be processed only where both a UK GDPR lawful basis and an additional condition under the Data Protection Act 2018 <https://www.gov.uk/data-protection> apply. An appropriate policy document will be maintained where required.

8. Personal data processed

Depending on the service or relationship, Hair at the Academy may process:

- Learner enrolment, identity, contact, attendance, progress, assessment and certification information
- Client contact details, booking information, consultation records, patch-test information and treatment history
- Safeguarding records, incident information and emergency contacts
- Health, disability, allergy and medical-alert information where necessary
- Staff, volunteer and contractor recruitment, employment, payroll, training and performance information
- CCTV images, access records and photographs or videos where lawfully used
- Website, email, device and system information necessary for security and service delivery

Privacy notices will explain the categories collected, purposes, lawful bases, recipients, retention periods, rights and relevant contact details.

9. Privacy information and transparency

Clear privacy information will be provided at or before collection, unless a lawful exception applies. Notices may be supplied through enrolment or consultation forms, hard copies, email links, the

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website and salon noticeboards. Information intended for children or vulnerable individuals will be concise, accessible and written in clear language.

If Hair at the Academy intends to reuse personal data for a new purpose, it will assess compatibility and provide updated privacy information where required before further processing.

10. Individual rights

Subject to legal conditions and exemptions, individuals have rights to:

- Be informed about how their personal data is used
- Access their personal data
- Have inaccurate personal data corrected and incomplete data completed
- Request erasure in applicable circumstances
- Restrict processing in applicable circumstances
- Receive and reuse certain data through data portability
- Object to processing, including an absolute right to object to direct marketing
- Receive safeguards in relation to solely automated decisions and profiling where the law applies

Requests do not need to use legal terminology and may be made verbally or in writing. Hair at the Academy will record the request, verify identity proportionately and respond without undue delay, normally within one month after the applicable time period begins. The period may be extended by up to two further months for a complex request or multiple requests, with the individual informed within the initial period. A fee will be charged or a request refused only where the law permits.

Parents and carers seeking access to a child's educational record should contact the Director. Whether a parent may exercise data protection rights on a child's behalf depends on the child's competence, the circumstances and applicable law.

11. Data protection complaints

Hair at the Academy will maintain an accessible process for data protection complaints, as required by current law. Complaints may be made to the Director or data protection lead using the contact details in this policy. Hair at the Academy will acknowledge the complaint within 30 days and, without undue delay, investigate it, keep the complainant appropriately informed and provide the outcome. A record of complaints and outcomes will be retained.

Individuals may also raise concerns with the Information Commissioner's Office. Hair at the Academy will not obstruct anyone from contacting the ICO.

12. Security and access control

Hair at the Academy will apply security measures appropriate to the risks, including password-protected systems, multi-factor authentication where appropriate, role-based access, secure configuration, encryption where suitable, locked paper storage, secure off-site archiving, backups, clean-desk practices and secure disposal.

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Access will be limited to people who need personal data for their role. Personal data must not be stored in unauthorised personal accounts, devices or consumer services. Paper records may be scanned into approved secure systems where this supports security, accessibility and the retention schedule.

13. Data sharing and processors

Personal data will be shared only where necessary, proportionate and lawful. Recipients may include awarding bodies, employers, local authorities, education or funding bodies, safeguarding partners, emergency services and vetted service providers.

Before appointing a processor, Hair at the Academy will carry out proportionate due diligence and put in place a written contract containing the legally required data protection terms. Processors must act only on documented instructions, keep data secure, assist with rights and breach obligations, control sub-processors and return or delete data at the end of the service.

International transfers will take place only where a lawful transfer mechanism and appropriate safeguards apply, supported by any required transfer risk assessment.

14. Personal data breaches

All suspected loss, theft, unauthorised access, cyber incident, misdirection or accidental disclosure involving personal data must be reported immediately to the Director or data protection lead. Staff must preserve evidence and must not conceal or investigate an incident independently.

Hair at the Academy will contain and assess the incident, record the facts, effects and remedial action, and determine whether notification is required. A breach likely to risk individuals' rights and freedoms will be reported to the ICO without undue delay and, where feasible, within 72 hours of becoming aware of it. Where there is a high risk, affected individuals will be informed without undue delay unless a lawful exception applies.

15. Data Protection Impact Assessments

A Data Protection Impact Assessment (DPIA) will be completed before processing that is likely to result in a high risk to individuals. This includes relevant new technologies, systematic monitoring, certain uses of children's or vulnerable people's data, and significant processing of special category data. The assessment will describe the processing, necessity, proportionality, risks and safeguards. The ICO will be consulted before processing if a high residual risk cannot be reduced.

16. CCTV and surveillance

CCTV may be used where necessary and proportionate for safety, security and crime prevention. Hair at the Academy will document its purpose and lawful basis, carry out a DPIA where required, limit viewing and retention, respond appropriately to access requests and use prominent signs identifying the controller and the purpose of recording. Audio recording will not be used unless separately justified as necessary and proportionate.

Questions about CCTV should be directed to the Director or data protection lead.

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17. Photographs, videos and medical-alert images

Written consent will normally be obtained from parents or carers, and from the individual where appropriate, before identifiable images of children or learners are used for displays, newsletters, fundraising, publicity, websites or social media. The intended uses will be explained clearly, and consent may be refused or withdrawn without detriment.

When consent is withdrawn, Hair at the Academy will stop future use and remove copies from systems under its control where reasonably possible. It may not be possible to retrieve material already lawfully printed, published or shared by others; this limitation will be explained when consent is obtained.

Consent is not necessarily the lawful basis for an ID image or a medical-alert photograph where use is necessary and another lawful basis and, for health information, an appropriate special-category condition apply. Such images will be subject to a documented necessity and risk assessment, strict access controls, short retention and privacy safeguards. Parents or carers will be informed where appropriate.

Published photographs will not normally be accompanied by unnecessary identifying information.

18. Direct marketing, electronic communications and online services

Marketing by email, text, telephone or similar means will comply with UK GDPR, PECR and the DUAA amendments. Hair at the Academy will identify the correct lawful basis, obtain consent where required, maintain suppression records and provide a clear, easy way to opt out in every marketing communication. Objections and withdrawals will be acted on promptly.

Non-essential cookies or similar tracking technologies will not be used unless applicable transparency and consent requirements are met. Services likely to be accessed by children will be designed with children's best interests, age-appropriate information and proportionate privacy settings in mind.

19. Retention and disposal

Personal data will be retained in line with Hair at the Academy's Data Retention Schedule and no longer than necessary for the stated purpose, legal obligations, safeguarding requirements, defence of legal claims and approved archiving. Retention periods will be reviewed regularly.

When retention ends, paper records will be cross-cut shredded or disposed of through an approved confidential-waste service. Electronic records will be securely erased or anonymised, including copies held in approved archives and backups where technically and lawfully appropriate.

20. Training, monitoring and review

All staff and volunteers with access to personal data will receive induction training and refresher training at least every one to two years, with more frequent or enhanced training for administration, IT, management and safeguarding roles. Relevant policy changes and incidents will be communicated promptly.

Hair at the Academy will demonstrate accountability through annual data audits, reviews of privacy notices and consent forms, training records, processor checks, records of processing, DPIAs, breach and complaint logs, and follow-up actions.

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This policy will be reviewed annually and sooner if legislation, ICO guidance, services, technology or processing risks change. The Director is responsible for approving updates.

21. Contact details

Data protection enquiries, rights requests and complaints should be sent to:

Mary Pugsley MBE,

Director

Hair at the Academy

Cornerstone,

10 Kimberley Road,

Exeter,

EX2 4JG

Telephone: 07974750699

Email: mp.hairattheacademy@gmail.com

Information Commissioner's Office: ico.org.uk | Telephone: 0303 123 1113

22. Related documents

- Child protection and safeguarding policy
- Privacy notices for learners, clients, staff and website users
- Data Retention Schedule
- Personal data breach-response procedure and register
- Data protection complaints procedure
- CCTV information and signage
- Photography and video consent forms
- Data Protection Impact Assessment template
- Record of Processing Activities

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