



**General Teaching Council  
for Northern Ireland**

Promoting Teacher Professionalism

# **GTCNI Privacy Notice – Applicants to and Registrants on Register of Teachers**

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## Who We Are

The General Teaching Council for Northern Ireland (GTCNI) is the statutory professional, registration and regulatory body for teachers in Northern Ireland. We are committed to respecting and protecting the data we collect, hold and use.

We are the data controller in relation to the personal data we hold on you and in this document, the Privacy Notice, we advise you what data we collect and how we use it.

## Contacting GTCNI About Your Personal Data

If you would like further information about anything in relation to this Privacy Notice please contact:

Data Protection Officer

General Teaching Council for Northern Ireland, Albany House

73–75 Great Victoria Street, Belfast BT2 7AF

Tel: 028 9033 3390

Email: [dpo@gtcni.org.uk](mailto:dpo@gtcni.org.uk)

Our Data Protection Officer (DPO) is the Information Management and Governance Officer. The DPO's role is to monitor and advise on how we meet our data protection responsibilities. Contact details for the DPO are set out above.

## What is the Purpose of this Privacy Notice?

We are committed to protecting the privacy and security of Registered Teachers and applicants to the GTCNI Register of Teachers. This Privacy Notice describes how we collect and use personal data about you after you have applied for registration with us in accordance with the UK General Data Protection Regulations ("GDPR") and the Data Protection Act 2018 ("DPA"), collectively referred to as the data protection legislation. This Privacy Notice applies to personal data being processed by us in respect of registrants and applicants to the Register of Teachers, including the provision of access to the GTCNI Applicant, Teacher or School Portals.

As a data controller, we are responsible for making decisions about the means by which, and the purposes for which, we process your personal data. We are required under data protection legislation to notify you of the issues contained in the Privacy Notice. It is important that you read this Privacy Notice, together with any other Privacy Notice we provide on specific occasions when we are collecting or processing personal data about you, so that you are aware of how and why we are using personal data, but it will also ensure that you are aware of your rights under data protection legislation.

## **Changes to this Privacy Notice**

We reserve the right to update this Privacy Notice at any time and we will provide a new Privacy Notice through our website and Applicant, Teacher and School Portal when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal data.

## **What is Personal Data?**

Personal data means any data relating to an identified or identifiable natural, living person. An identifiable natural person is one who can be identified, directly or indirectly, by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more traits specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. Personal data is data that identifies you and relates to you.

## **Why Do We Collect Personal Data?**

We currently collect and process a range of personal data that we need to fulfil our statutory and contractual obligations in maintaining the Register of Teachers.

## **How We Collect Your Personal Data?**

We collect personal data about you in a number of ways, when you are applying to become registered, either directly from you or sometimes from third party, for example, from an education institution, from an employer or former employer, from a referee or a background check provider. We may sometimes collect additional data from other third parties in accordance with the law and where necessary to do so, such as other partner regulators in the UK and elsewhere, justice agencies and Board of School Governors.

When an individual accesses our website and agrees with all / part of the Acceptable Use Cookies Notice, we also collect data to help us analyse security, functionality and usage of our website.

## What Data Do We Collect?

### Data about Applications to or Teachers on the Register of Teachers

For the purposes of maintaining GTCNI's Register of Teachers, we collect and process a range of personal data, including (please note this list is not exhaustive):

- Name;
- Previous Last Name (if applicable);
- Date of Birth;
- National Insurance Number;
- Sex registered at Birth;
- Gender Identity;
- Address and Contact Details.

We will also collect and process specific professional data including:

- Qualifications including references where relevant;
- Teacher Registration Number;
- GTCNI Registration Number; and
- Employment details including School DENI code, employment type, contract type, contract start and end dates (where appropriate).

We may also collect and process data that would prevent an applicant to the register or a teacher on the register from taking up or continuing employment in a primary or post-primary educational setting in Northern Ireland. This can include Criminal Offence data under [Article 9 \(2\) \(g\) of the UK GDPR](#).

We are provided with this data from a number of sources including:

- Disclosure and Barring Service (DBS);
- ACRO Criminal Records Office;

- Police Service of Northern Ireland (PSNI);
- The Courts in Northern Ireland, and
- Notifications from other Teaching Regulators.

There may be rare occasions when data defined as Special Category Data under data protection legislation will be collected and processed. This data may relate to trade union membership, underlying medical conditions or disability.

### **Data about people who use our website**

We will only process personal data provided by you via our website, such as:

- feedback from surveys and online forms;
- email addresses, and
- preferred means of communication.

This personal data about you will be used to exercise our functions, and to improve the quality of our services.

We use standard internet log analytics to monitor use of our website that uses cookies to help analyse how people use our site, and this data will include your IP address and the pages you visit. You may refuse the use of cookies using your browser's settings.

This Privacy Notice covers our GTCNI website only. It does not cover any links within this site to other websites.

### **Special Category Data**

The UK GDPR classifies some types of personal data as likely to be more sensitive and gives them extra protection – these are known as special category data. During the course of applying to and/or being a registrant on the Register, a number of these special category data types are collected and processed as part of the appointment procedure and/or part of annual statutory monitoring such as Section 75 equality monitoring annual returns. These include:

- personal data revealing **racial or ethnic origin**;
- personal data revealing **religious or philosophical beliefs**;

- personal data revealing **trade union membership**;
- **behavioural biometric data** (if keystroke analysis is used);
- data concerning **health**, and
- data concerning a person's **sexual orientation**.

Any data collected and processed will be done so in accordance with [Article 9 of the UK GDPR](#).

Where any special category data is used for statutory reporting such as Section 75 equality monitoring it is provided anonymously.

### **If You Fail to Provide Personal Data**

If you fail to provide certain data when requested, this may impact on your application or registration, as we may be prevented from complying with our legal obligations or meeting other legal requirements in respect of such applications/registration.

### **Data About Allegations of Criminal Offences, Criminal Convictions, Sentences**

If whilst as a registrant you are the subject of a criminal investigations, our regulation team will gather data relating to allegations of criminal offences, criminal convictions, sentences and placement on the Children's Barred List. We may only use data relating to allegations of criminal offences, criminal convictions, sentences and placement on the Children's Barred List where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our Data Protection Policy. In the event that a registrant is removed from the Register, this will only be implemented once we have complied with relevant sections of the legislation. If a registrant is removed from the Register, we are required to share this data in accordance with the legislation. Data which may be supplied can be found in Schedule 2 of [The General Teaching Council for Northern Ireland \(Registration of Teachers\) Regulations \(Northern Ireland\) 2004](#).

### **Lawful Bases for Processing Personal Data**

UK [GDPR Article 6\(1\)\(c\)](#) states that processing shall be lawful only if and to the extent that processing is necessary for compliance with a legal obligation to which the processor is subject.

UK [GDPR Article 6\(1\)\(e\)](#) states that processing shall be lawful only if and to the extent that processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. This is often referred to as the public task lawful basis.

This is further detailed in [Section 8, Section 10 and Schedule 1 Part 1 of the Data Protection Act 2018](#).

Our “public task” is detailed in [The General Teaching Council for Northern Ireland \(Registration of Teachers\) Regulations \(Northern Ireland\) 2004](#), as subsequently updated by [The General Teaching Council for Northern Ireland \(Registration of Teachers\) \(Amendment\) Regulations \(Northern Ireland\) 2015](#).

This legislation details how we are responsible for the establishment and maintenance of a register of teachers, the approval of qualifications for the purposes of registration and for performing regulatory functions relating to unprofessional conduct and serious professional misconduct.

There may be rare occasions when data defined as Special Category Data under [Article 9 of the UK GDPR](#) will be processed. This data may relate to gender and marital status, and underlying medical conditions or disability in the case where a request is made to us for alternative formats for application or assistance with same.

When this data is being processed, it is for the purpose set out in the UK [GDPR Article 9\(2\)\(g\)](#) processing is necessary for reasons of substantial public interest, on the basis of Domestic Law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject, with more detail available in our Appropriate Policy document (APD).

Under the General Teaching Council for Northern Ireland (Registration of Teachers) (Amendment) Regulations (Northern Ireland) 2015 (3) (Amendment of the General Teaching Council for Northern Ireland (Registration of Teachers) Regulations (Northern Ireland) 2004), made under the powers in Article 36(3) and (5) of the Education (Northern Ireland) Order 1998, we may also collect and process data that would prevent an applicant to the Register or a teacher on the Register from taking up or continuing employment in a primary or post-primary educational setting in Northern Ireland. This can include criminal offence data.

On occasions personal data relating to Criminal Records may be processed. This data is being processed in accordance with GDPR Article 10, for the purpose set out in the [Data Protection Act 2018 Schedule 1](#) Part 1 (18)(1)(d), where the processing is necessary for safeguarding children and individuals at risk and for reasons of substantial public interest. This is further set out in in accordance with legislative

requirements under [The Safeguarding Vulnerable Groups \(Northern Ireland\) Order 2007](#), specifically S3 (1) and (2).

We may also collect and process relevant personal data under data-sharing agreements with a number of relevant bodies including the Department of Education (DE), the Education Authority, other Teaching Councils /, DBS, ACRO and the PSNI, among others.

We are subject to the provisions of the UK GDPR, the [Data Protection Act 2018](#) and the [Freedom of Information Act 2000](#). In particular, all sharing of personal data must be in line with the following principles of the UK GDPR:

- Lawfulness, fairness and transparency;
- Purpose limitation;
- Data minimisation;
- Accuracy;
- Accountability;
- Storage limitation, and
- Integrity and confidentiality.

## Sharing Data

We do not use personal data for direct marketing (promoting or selling goods, services etc.) or share data with anyone else who will use it for direct marketing.

We will share personal data with third parties where required to do so by law. This may include sharing personal data with:

- DE, including Teachers' Pay and Pension Team, and its Arms-Length Bodies;
- Employers and employing schools;
- Higher Education Institutes as providers of undergraduate and postgraduate education programmes;
- Further Education Institutes;

To allow us to fulfil its statutory function or where we have another legitimate interest in doing so in performing our regulatory function, we may, on occasion, have to share your personal data, where it is lawful to do so, with third parties such as:

- DBS;
- ACRO;
- AccessNI;
- Justice competent authorities;
- Other teaching regulators in the UK;
- NI Government – only for statistical and reporting purposes;
- Any NI elected representative you have asked to communicate with us on your behalf;
- Worldpay (in relation to payments / refunds);
- Our Bank – Danske (in relation to payments / refunds);
- Any appropriately-procured mailing company appointed to undertake registration matter communications with you on our behalf;
- Our teachers' registration system provider, Fortesium;
- Our website provider, Thought Collective, in the collation of data on website usage and accessibility, or
- On rare occasions personal data may be shared as per Paragraph 10 of Schedule 1 of the [DPA 2018](#), which provides a condition for sharing special category data or criminal offence data where it is necessary for the prevention or detection of unlawful acts.

We sometimes have to take part in independent inquiries, investigations and reviews. This can mean we have to securely share, including personal data, with them.

Statutory public inquiries are governed by the Inquiries Act 2005 (“the 2005 Act”), and the associated inquiries rules. Under the 2005 Act, an inquiry may require us to provide evidence. This may include personal data relating to the inquiry's terms of reference. The inquiry's rules also set out how data can be shared and disclosed.

Please note that this is not an exhaustive list and may be subject to change.

## Change of Purpose

We will only use your personal data for the purposes for which we collected it. We may, on occasion, need to use your data for another reason, but only where that reason is compatible with the original purpose.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent. However, be assured that we will only do this where the purpose for processing is in compliance with the above rules, where this is required or permitted by law.

## **Personal Data Available to View on GTCNI's Search The Register**

Our Search the Register function enables members of the general public or employers to check the registration status of any individual who is on GTCNI's Register of Teachers. The personal data displayed will confirm if an individual is registered as "Active" with us.

### **By a Member of the General Public**

The personal data relating to a registrant which is available when a member of the general public searches the Register is:

- Forename(s), Middle Name(s) and Surname
- Current Status (only Active records will be displayed)
- GTCNI Registration Number
- Last known employer (by school name)

### **By an Employer / Potential Employer**

The personal data available to an employing school is that noted above if the Search the Register function is used.

Schools may also use their registered School Portal to request a detailed report by submitting an application for Employer Access to the teacher record. This detailed report will also include details of:

- Teacher full name
- GTCNI Number
- Current Registration Status
- Date First Registered

- Qualifications Details for Initial Teacher Training Qualifications and Undergraduate Qualifications as follows:
  - Institution
  - Title of Course
  - Main Subject
  - Subsidiary Subject
  - Age Range
  - Start Date
  - Date Awarded
- If Known
  - Induction start date
  - Induction end date
  - Name of School
  - Early Professional Development start date
  - Early Professional Development End Date
  - Name of School

Personal data supplied to employers and prospective employers is provided for specific purposes and subject to stringent disclosure restrictions.

The School Portal can also be used by schools to maintain the list of teachers currently registered as employed within their school.

### **By the Registered Teacher**

As a registered teacher accessing your own record through our secure Teacher Portal, you will also be able to view:

- Your email address
- Your registration status
- Name of your employer and establishment

Our Teacher Portal is a personalised and secure web portal for registrants. By registering on GTCNI Online you will be able to:

- Update your personal details
- Apply for a Letter of Professional Standing
- Apply to upload Induction/Early Professional Development
- Apply for Voluntary Withdrawal
- Receive updates through the News Feed
- Pay your Annual Registration online

## **Data Protection Rights**

Under data protection legislation, you have rights which we need to make you aware of. They are as follows: -

### **Your right of access**

You have the right to ask us for copies of your personal data we hold. There are some exemptions, which means you may not always receive all the data we process.

### **Your right to rectification**

If you think that any of the personal data we hold on you is inaccurate or incomplete you have the right to ask us to rectify it or to complete it.

### **Your right to erasure**

You have the right to ask us to erase your personal data, but only in circumstances where we no longer need your data for the original reason we collected or used it for.

### **Your right to ask us to restrict processing**

You have the right to ask us to restrict the processing of our information in certain circumstances. However, this may have a negative impact on our ability to fulfil our regulatory obligations.

### **Your right to object to processing**

You have the right to object to processing your personal data, if we are able to do so, unless the process forms part of our public tasks or is in our legitimate interests.

### **Your right to data portability**

This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another or give it to you. The right only applies if we are processing information based on your consent or under, or in talks about entering into a contract and the processing is automated.

### **Your right to complain**

If you think that we have infringed data protection legislation because of the way we have handled your personal information (or the personal information of someone you are acting on behalf of), you can complain to us.

You can exercise any of these rights by contacting our DPO using the contact details above. There is no charge for exercising your rights. We have up to one month to respond to you, but we will always try do so more quickly.

## **How We Store Personal Data**

The following legislation sets the framework within which we must operate and ensure the secure storage and handling of data:

- [The UK General Data Protection Regulation \(UK GDPR\);](#)
- [The Data Protection Act 2018;](#)
- [Freedom of Information Act 2000;](#)
- [Environmental Information Regulations 2004;](#)

- [The Public Records Act 1923](#);
- [Computer Misuse Act 1990](#);
- [The Human Rights Act 1998](#); and
- [The Official Secrets Act 1989](#)

We are committed to take the necessary actions to ensure that it continues to comply with all relevant legislation regarding its management of personal data and other sensitive data.

We take appropriate technical and organisational measures against unauthorised or unlawful processing of personal data and against accidental loss or destruction of or damage to personal data.

We will ensure that appropriate security measures are in place so that personal data can only be accessed by those who need to access it and that it is held and transferred securely.

All our staff are required to complete annual data protection training.

## How Long We Retain Personal Data For

We will only retain your data for as long as necessary. We publish a retention and disposal schedule which explains how long we keep different types of records and documents for, including records and documents containing personal data. Personal data is deleted or securely destroyed at the end of its retention period. Please note that should an application be declined, withdrawn or not completed, it will be deleted after three years. Should you wish to re-apply you will need to complete a new application.

Activity	Category of Personal Data	Lawful Basis for Processing including Basis for Legitimate Interest	Retention Period or Criteria to Determine Retention Period
To maintain a register of teachers in Northern Ireland	Identity data Contact data Professional data	To comply with a legal obligation. Performance of a task carried out in the public interest or in the exercise of	Permanent Preservation if application is successful.

Activity	Category of Personal Data	Lawful Basis for Processing including Basis for Legitimate Interest	Retention Period or Criteria to Determine Retention Period
		official authority vested in the controller.	If application is not successful or is withdrawn, the data will be retained for 3 years.
Applicants to the Register - Making a decision about your application for registration.	Identity data Contact data Professional data Special category data, including criminal offences and convictions	To comply with a legal obligation. Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.	Permanent Preservation if application is successful.  If application is not successful or is withdrawn, the data will be retained for 3 years.
Applicants to the Register - Reviewing the references by Head Teacher or Line Manager in support of your application to register.	Identity data Contact data Professional data	To comply with a legal obligation. Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.	Permanent Preservation if application is successful.  If application is not successful or is withdrawn, the data will be retained for 3 years.
Applicants to the Register - Collating referee reports to assist in process for making a decision about your application for registration where your provisional registration timeframe has lapsed, or you never registered	Identity data Contact data Professional data	To comply with a legal obligation. Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.	Permanent Preservation if application is successful.  If application is not successful or is withdrawn, the data will be retained for 3 years.

<b>Activity</b>	<b>Category of Personal Data</b>	<b>Lawful Basis for Processing including Basis for Legitimate Interest</b>	<b>Retention Period or Criteria to Determine Retention Period</b>
with GTCNI after you qualified			
Applicants to the Register and Re-applications to the Register for Registrants lapsed for 3 or more years - DBS Positive results certificate and Negative results certificate	Special category data including data on criminal convictions and offences	To comply with a legal obligation. Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.	Permanent Preservation if application is successful.  If application is not successful or is withdrawn, the data will be retained for 3 years.
To ensure that registrants are kept appropriately informed of developments in the teaching profession.	Identity data Contact data	To comply with a legal obligation. Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.	Permanent Preservation.
To communicate with you regarding the process for making annual registration fee payments	Identity data Contact data	To comply with a legal obligation. Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.	Permanent Preservation.

<b>Activity</b>	<b>Category of Personal Data</b>	<b>Lawful Basis for Processing including Basis for Legitimate Interest</b>	<b>Retention Period or Criteria to Determine Retention Period</b>
To communicate with you regarding collection of the annual registration fee payments online through the teacher registration system or by internet banking	Identity data Contact data Financial data	To comply with a legal obligation. Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.	Permanent Preservation.
To provide a Letter of Professional Standing (LOPS) as required to current and lapsed registrants	Identity data Contact data Professional data Financial data	To comply with a legal obligation. Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.	Permanent Preservation.
To obtain a registration number from DE Teachers' Pay and Pension Team	Identity data	To comply with a legal obligation. Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.	Permanent Preservation.
To liaise with the Regulation Team in relation to registrants who have been referred to GTCNI during / following an employer disciplinary process	Identity data Contact data Professional data Special category data including data about criminal convictions and offences	To comply with a legal obligation. Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller	Permanent Preservation.

Our data retention policy governs the handling, retention and disposal for all personal data and ensures a consistent approach to the maintenance and retention of accurate records for appropriate periods of time to satisfy GTCNI's statutory, contractual, legal, financial and operational requirements.

## **Sharing Your Personal Data**

We use data processors who are third parties who provide elements of services for us. For example, our IT services are outsourced to IT Assist. We have contracts in place with all third-party data processors. This means that they cannot do anything with your personal information unless we have instructed them to do it. They will not share your personal information with any organisation apart from us. They will hold it securely and retain it for the period we instruct.

If we transfer your personal data outside of the UK this will only be done in accordance with the UK GDPR and the same safeguards required under the UK GDPR will be applied.

We will only transfer the personal data we collect about you to a country outside the UK if that is where you are based/reside in order to perform our statutory functions and you have instructed to send it to you there. We will ensure that there is a high level of security around transferring your data to a country outside the UK, including ensuring that this is only sent to an email address or means of contact provided by you.

If you are unhappy about how we process your own personal data, wish to exercise your rights in relation to your personal data, or need to contact us about our processing of personal data, please get in touch with our DPO at the contact details above.

For any other complaint about our actions, please see the following link to find out how to make a complaint.

If you are unhappy with any aspect of this Privacy Notice, or how your personal data is being processed you have a right to request an independent assessment from the Information Commissioner's Office (ICO).