



Teaching  
Regulation  
Agency

## Privacy notice for witnesses: teacher misconduct

### Who we are

The [Teaching Regulation Agency \(TRA\)](#) is an executive agency of the Department for Education (DfE). We are the competent authority in England for the teaching profession, and our functions include regulating the teaching profession in England. We investigate cases of serious misconduct and decide whether to refer a case to a professional conduct panel. The panel then investigates whether a prohibition order should be issued.

For the purpose of data protection legislation, the DfE is the data controller for the personal data we process as part of the teacher misconduct regulatory role.

### What data we collect

The personal data we collect are:

- personal identifiers (name, date of birth, National Insurance number, teacher reference number (TRN))
- contact information (home address, email address, telephone number)
- teacher status (qualified teacher status (QTS) or early years teacher status (EYTS), induction status, initial teacher training (ITT) result)
- qualifications (previous degrees)
- supplementary teaching qualifications (mandatory qualifications, national professional qualifications)
- employment details (current or previous employer)
- financial details (for expense purposes, if applicable)

We may also be supplied with sensitive personal data, some of which is special category data, such as:

- your racial or ethnic background
- your political opinions
- your religious beliefs or other beliefs of a similar nature
- whether you are a member of a trade union
- your physical or mental health
- your sexual orientation
- the commission or alleged commission of any offence by you

- any proceedings for any offence committed, or alleged to have been committed, by you, the disposal of such proceedings or the sentence of any court in such proceedings

## **Why we need your data**

As a witness or potential witness within a teacher misconduct investigation, we receive your personal data from you and third parties including employers or supply agencies, police forces, Disclosure and Barring Service (DBS) and members of the public. We process this information to regulate the teaching profession by investigating allegations of serious misconduct.

## **Our legal basis for processing your data**

So that our use of your personal data is lawful, we need to meet one, or more, conditions in the data protection legislation. In this case, it is necessary to process your personal data to regulate the teaching profession, under the basis of public task, as set out in Article 6(e) of the UK GDPR.

## **What we do with your data**

We sometimes need to make personal data available to other organisations. This also includes contracted partners.

Where we need to share your personal data with others, we comply with data protection legislation.

## **Legal firms**

We hold contracts with legal firms to process teacher misconduct investigations on our behalf. They may use your personal data that we provide to contact you for further information regarding the teacher being investigated. Some legal firms will also review this data to provide impartial legal advice during misconduct hearings.

## **Professional conduct panels**

We appoint independent panel members who sit on professional conduct panels to consider cases of serious misconduct and they make recommendations on prohibition to the Secretary of State. They may need some of your personal data to do this.

## **DBS and other organisations**

We may need to share your personal data with DBS and other organisations (including, but not limited to, local authority organisations and employers) so they can do their job. This data is lawful because it is compliant with Section 45 of the Safeguarding and Vulnerable Groups Act 2006.

## **Police**

We may need to share your personal data with the police so:

- they can do their job
- we can obtain information from them to fulfil our statutory role

This data is lawful because it is compliant with section 31 of the Data Protection Act 2018.

### **Other teaching regulators**

We may need to share your personal data with other teaching regulators so they can do their job. This includes, but is not limited to:

- General Teaching Council Scotland (GTCS)
- General Teaching Council Northern Ireland (GTCNI)
- the Teaching Council Ireland (TCI)
- Education Workforce Council (EWC)

This data is lawful because it is compliant with Article 6(e) of the UK GDPR.

### **Our finance team**

If applicable, we need to provide your financial details to our finance team to pay any expense claims you make.

### **How long we keep your data**

We will only keep your personal data for as long as we need to for the purpose of regulating the teaching profession, specifically up to 50 years after the closure of a case. After 50 years it will be securely destroyed.

### **Cases received prior to 25 May 2018**

For cases received by the Teaching Regulation Agency (TRA) (formerly National College for Teaching and Leadership (NCTL)) prior to 25 May 2018, we will continue to retain records which may include your personal information previously provided by you or a third party. This applies to data collected by the TRA and all predecessor bodies.

### **Your data protection rights**

You have the right:

- to ask what information we hold about you
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (for instance allow us to store it but not process it further)
- to object to direct marketing (including profiling) and processing for the purposes of scientific or historical research and statistics

You can contact us regarding any of this information by email at [icat.tra@education.gov.uk](mailto:icat.tra@education.gov.uk).

Further information about your data protection rights is on the [Information Commissioner's website](#).

### **Consent and how to make a complaint**

We do not need to obtain your consent to process your personal data as we have a statutory responsibility as part of our regulatory role, in line with section 8 of The Education Act 2011.

If you are unhappy with our use of your personal data, please contact [icat.tra@education.gov.uk](mailto:icat.tra@education.gov.uk).

You can also contact the DfE Data Protection Office:

Deputy Director, Departmental Data Protection Officer  
Department for Education (B2.28)  
7 & 8 Wellington Place  
Wellington Street  
Leeds, LS1 4AW  
[data.protection@education.gov.uk](mailto:data.protection@education.gov.uk)

Alternatively, you have the right to raise any concerns with the [Information Commissioner's Office \(ICO\)](#).

### **Changes to this notice**

We may change this privacy notice. It was last updated March 2021. Any changes will be applied to you and your data as of that revision date. We recommend you periodically review this privacy notice. A copy of this [privacy notice is on GOV.UK](#).