

Ark Education Centre Data Protection Policy

Date Prepared: 01-10-2024 | Last Reviewed: 01-10-2024 | Next Review Date: 01-10-2025

1. Policy Statement

Ark Education Centre is committed to protecting the rights and privacy of individuals in accordance with the **UK General Data Protection Regulation (UK GDPR)** and the **Data Protection Act 2018**. This includes learners, staff, parents/guardians, and third-party contacts. The Centre values transparency, accountability, and compliance in the handling of personal data.

2. Scope

This policy applies to:

- All staff and volunteers
 - All learners and candidates
 - Third parties acting on behalf of or in partnership with Ark Education Centre
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3. Legal Framework

This policy aligns with the following key legislation and guidance:

- UK General Data Protection Regulation (UK GDPR)
 - Data Protection Act 2018
 - Education (Pupil Information) (England) Regulations 2005 (as amended)
 - ICO guidance and the Data Sharing Code of Practice
 - Human Rights Act 1998
 - Freedom of Information Act 2000 (where applicable)
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4. Definitions

- **Personal Data:** Any information that can identify a living individual directly or indirectly
- **Special Category Data:** Sensitive data such as health, ethnicity, religion, or SEND information

- **Data Subject:** The person to whom the data relates
 - **Data Controller:** Ark Education Centre, which determines the purpose and means of processing
 - **Data Processor:** Any third party processing personal data on behalf of the Centre
 - **Processing:** Collecting, storing, using, disclosing or destroying data
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5. Data Protection Principles

In line with the UK GDPR, Ark Education Centre will ensure personal data is:

1. **Processed lawfully, fairly, and transparently**
 2. **Collected for specific, explicit and legitimate purposes**
 3. **Adequate, relevant and limited to what is necessary**
 4. **Accurate and kept up to date**
 5. **Stored no longer than necessary**
 6. **Processed securely**, protecting against unauthorised access or loss
 7. **Only transferred outside the UK/EEA if appropriate safeguards are in place**
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6. Roles and Responsibilities

- **Data Controller:** Ark Education Centre
 - **Data Protection Officer (DPO):** The Head of Centre is the appointed DPO and can be contacted for all data protection matters.
 - **Director of Operations:** Responsible for day-to-day implementation of this policy
 - **All Staff and Contractors:** Must read, understand, and comply with this policy
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7. Lawful Basis for Processing

We rely on the following lawful bases to process personal data:

- **Contractual necessity:** For enrolment and delivery of courses

- **Legal obligation:** To comply with statutory duties (e.g., funding, safeguarding, exam boards)
 - **Consent:** For marketing, photography, testimonials, etc.
 - **Vital interests:** In an emergency affecting someone's health
 - **Legitimate interests:** Where processing is necessary for operational reasons and doesn't override the rights of the individual
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8. Special Category Data

Processing of sensitive data (e.g. SEND, medical needs) will only occur:

- Where there is explicit consent
 - Where required by law
 - Where it is necessary to support the learner's education and welfare
- Access to such data is restricted and securely managed.
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9. Individual Rights

All data subjects have the right to:

- Access their personal data (via a **Subject Access Request**)
 - Rectify inaccurate or incomplete data
 - Request erasure (in some circumstances)
 - Restrict processing
 - Object to processing (including for direct marketing)
 - Data portability (where applicable)
 - Not be subject to automated decision-making (unless legally allowed)
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10. Subject Access Requests (SARs)

Individuals may request access to the personal data held about them.

- Requests must be made in writing to the **Data Protection Officer**
- We will respond within **one calendar month**
- ID verification may be required

- Requests are free of charge unless manifestly unfounded or excessive
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11. Data Security

We maintain strict physical and digital security protocols, including:

- Secure storage of hard copies (locked cabinets, restricted access)
- Password protection and encryption of electronic data
- Role-based access control
- Secure disposal (confidential waste shredding and digital deletion)
- Secure handling of off-site or remote working data

A **Data Breach Procedure** is in place to handle any incidents swiftly and report serious breaches to the **ICO** within 72 hours.

12. Retention and Disposal

We only keep personal data for as long as is necessary.

- Retention schedules are in place for different record types (e.g., exam data, enrolment files)
 - Personal data is securely destroyed once retention periods expire
 - A disposal log is maintained
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13. Data Sharing and Third Parties

We only share data:

- Where there is a legal obligation (e.g., exam boards, local authority)
- With organisations providing contracted services (e.g., IT providers, awarding bodies)
- With consent (e.g., marketing communications)

Third-party processors are required to sign **data processing agreements** to ensure full GDPR compliance.

14. Photography, Marketing, and Online Use

We will always:

- Seek explicit consent before using personal data or images for promotional purposes
 - Offer opt-out options for non-essential communications (e.g., newsletters)
 - Display a privacy notice on our website and on all data collection forms
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15. CCTV

CCTV is used on our premises solely for safety and security. Signage is displayed clearly. CCTV data is:

- Stored securely
 - Retained for a limited period
 - Only accessed by authorised staff or in response to legal requirements
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16. Staff Responsibilities

All staff must:

- Complete data protection training annually
- Handle data in accordance with this policy
- Report data breaches immediately
- Only access personal data necessary for their role

Failure to comply with this policy may result in disciplinary action.

17. Training and Awareness

The Centre will:

- Provide GDPR training for all new and existing staff
 - Review data handling practices annually
 - Ensure regular updates in line with ICO and legal developments
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18. Review of Policy

This policy is reviewed **annually** or in line with changes to legislation.
The current version is maintained by the **Data Protection Officer** and is available on request and on the Centre's website.

19. Contact and Queries

If you have any queries, requests, or concerns about how your personal data is handled, please contact:

Data Protection Officer

Ark Education Centre

Email: nalika@deccagroup.co.uk

Phone: 020 3441 7272