

# Ark Tuition / Ark Education Centre Data Protection Policy

Date Prepared: 01-10-2024 | Last Reviewed: 14-10-2025 | Next Review Date: 01-10-2026

## 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

## 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)

## 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

## 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**

## 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

## 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

## 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.

## 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)

## 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

## **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

## **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

## **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

## **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

## **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](mailto:nalika@deccagroup.co.uk)

Phone: 020 3441 7272