



PRIVACY POLICY

Last Review Date	September 2026
Policy Reviewer	Director – Kane Wilson
Version	V2 23/09/26
Changes since last review	-
Next Review Date	September 2027

LEARNERS AND PARENTS/CARERS PRIVACY NOTICE

QUICK VERSION FOR LEARNERS

The Ark keeps some information about you so we can help you take part safely, support your learning and wellbeing, know when you are here, understand any health or support needs, and work with the school or organisation that arranged your placement.

- We only use information we need for a clear reason.
- Some information is private or sensitive, such as health, SEND or safeguarding information, so we protect it carefully.
- We usually get information from you, your parent/carer, your school, the local authority or professionals helping you.
- We may need to share information with your school or safeguarding professionals to keep you or someone else safe. We do not always need consent to do this.
- Photos for publicity or social media are different from photos needed for records or safety. Optional publicity use will be explained separately.
- You have rights over information about you. You can ask what we hold, ask us to correct mistakes and raise concerns.
- If this notice is hard to understand, ask a member of staff. We can explain it in a simpler, visual or supported way.

WHO WE ARE

The Ark Smallholding Ltd ('The Ark') is a private independent alternative provision in Leeds. Pupils are normally placed with us by commissioning schools or other commissioning organisations. The Ark is not a maintained school, academy or local authority.

Data controller: The Ark Smallholding Ltd (company number 12944497).

Registered office: 7 Yew Tree Lane, Leeds, England, LS15 9JD.

Provision/contact address: The Ark Smallholding, Main Street, Collingham, Leeds, LS22 5AS.

Email: info@thearksmallholding.co.uk | Telephone: 07754 315 387

Data protection questions, rights requests and data-protection complaints should be sent to the Data Protection Lead at the email address above. Current lead: Kane Wilson

WHAT INFORMATION WE MAY USE

Depending on the placement and the individual child, this may include:

- identity and contact details, date of birth, address and emergency contacts;
- commissioning school, placement and referral details;
- attendance, punctuality and engagement information;
- SEND, disability, EHCP and support-plan information;
- health, medical conditions, allergies, dietary needs, first aid and medication information;
- safeguarding and child-protection information, including information about agencies involved with the child/family;
- behaviour, incident, physical-intervention, injury, risk-assessment and support records;
- progress, achievements, placement reviews and communications;
- online-safety information and technology-use records where relevant to The Ark's systems or safeguarding responsibilities;
- photographs, video or audio where there is an identified operational, evidential, learning, safeguarding or optional publicity purpose;
- complaints, concerns and correspondence;
- collection, transport or authorised-person arrangements where applicable.

Some of this is special category information under data-protection law, particularly health, disability and some information revealing racial/ethnic origin, religion or other protected characteristics. Criminal-offence information is subject to separate additional legal controls.

WHERE INFORMATION COMES FROM

- the learner;
- parents/carers and authorised family contacts;
- the commissioning school or other commissioning organisation;
- Leeds City Council or another local authority;
- health professionals, social workers, early-help or other safeguarding professionals;
- police or emergency services where relevant;
- The Ark's own observations, attendance records, incident records, assessments and communications.

WHY WE USE INFORMATION

- to assess, set up, manage and review placements;
- to safeguard children, prevent harm and support multi-agency safeguarding work;
- to record and communicate attendance and unexplained absence;
- to understand and support SEND, disability, wellbeing and individual support needs;
- to manage medical needs, allergies, medication, first aid and emergency response;
- to assess and manage health, safety, behaviour and other risks;
- to record progress, engagement, achievements and placement outcomes;
- to communicate with learners, parents/carers, commissioners and relevant professionals;

- to manage complaints, concerns, incidents and legal/insurance matters;
- to meet legal, safeguarding, contractual and commissioning-assurance requirements;
- to maintain accurate records and protect The Ark's and others' legitimate interests.

OUR LAWFUL BASES

There is no single lawful basis for all learner information. The Ark identifies the basis that fits each purpose. Depending on the activity, we may rely on:

- legal obligation, where a law requires The Ark to process or share information;
- recognised legitimate interests, including where processing is necessary to safeguard a child or another vulnerable individual, or in other recognised circumstances introduced by the Data (Use and Access) Act 2025;
- legitimate interests, where processing is necessary for safe and effective placement delivery, administration, communication, risk management or organisational accountability and those interests are not overridden by the individual's rights and interests;
- vital interests, in rare situations where processing is necessary to protect someone's life;
- contract, but only where processing is objectively necessary for a contract with the person whose data is being processed;
- consent, where the use is genuinely optional and consent can be refused or withdrawn without affecting core safeguarding or placement services.

For special category information, The Ark also identifies an Article 9 UK GDPR condition and any required Data Protection Act 2018 Schedule 1 condition. Depending on the circumstances this may include substantial-public-interest conditions for safeguarding children and individuals at risk, or health-related conditions where legally applicable.

SAFEGUARDING AND INFORMATION SHARING

Data protection law does not prevent appropriate safeguarding information sharing. The Ark may receive, record and share personal information without consent where this is lawful and necessary to protect a child, prevent harm, promote welfare, support multi-agency work, prevent or investigate crime, respond to an emergency, or comply with a legal obligation.

Where it is safe and appropriate, we aim to be open with the learner and/or parent/carer about sharing. We will not seek or wait for consent if doing so could increase risk, prejudice an investigation, cause harmful delay or where the law provides another appropriate route.

COMMISSIONING SCHOOLS AND OTHER RECIPIENTS

Where lawful and necessary, information may be shared with:

- the commissioning school or commissioning organisation, including referral information, attendance, safeguarding information, behaviour/incidents, risk assessments, relevant medical information, placement reviews, significant changes in risk and end-of-placement information;
- Leeds City Council or another local authority, including SEND, commissioning, attendance/CME or safeguarding functions where relevant;

- Children's Social Care, safeguarding partners, police, health professionals and emergency services;
- insurers, legal/professional advisers and regulators/commissioners where necessary;
- approved IT, cloud, communications, website or other service providers acting for The Ark under appropriate contractual and security controls.

The Ark and a commissioning school may each be separate data controllers for their own processing. A commissioning arrangement does not automatically make one organisation the other's processor; the legal role depends on what each organisation decides and does with the information.

PHOTOS AND VIDEO

The Ark may take photographs or recordings on approved devices for a defined operational purpose, for example to evidence an activity or achievement, support an incident/safeguarding record, or support placement work. The lawful basis will depend on the purpose. Optional publicity, marketing or social-media use is separate and will only take place where an appropriate lawful basis has been identified, normally through specific recorded consent where that is the chosen basis. Withdrawing publicity consent will normally stop future optional use but may not require removal of material where another lawful basis applies or where removal is not legally required.

HOW LONG WE KEEP INFORMATION

We keep personal information only for as long as it is needed for the purpose for which it was collected and for any legal, safeguarding, contractual, insurance or accountability requirements. Different records have different retention periods. The Ark maintains a controlled Data Retention and Disposal Schedule covering safeguarding, attendance, incidents/behaviour, medication/medical records, risk assessments, placement records, photographs/video, complaints and other categories. We do not apply a blanket six-month deletion period to all learner records.

INTERNATIONAL TRANSFERS AND SERVICE PROVIDERS

Some approved digital service providers may store or access information outside the UK. Where this occurs, The Ark will use the transfer mechanism and safeguards required by data-protection law and will assess provider security, sub-processors, retention and data location before approval. The exact position must reflect the providers The Ark actually uses.

YOUR RIGHTS

Depending on the circumstances and lawful basis, individuals may have rights to:

- be informed about use of their information;
- access their personal information;
- ask for inaccurate information to be corrected;
- ask for erasure in certain circumstances;
- ask for processing to be restricted in certain circumstances;
- object to certain processing;
- receive or transfer certain information where the data-portability right applies;
- receive safeguards and challenge certain solely automated significant decisions where the law applies;

- withdraw consent at any time where consent is the lawful basis.

These rights are not absolute and legal exemptions may apply. We may need to verify identity or authority to act. A parent/carer does not automatically have an unrestricted right to all information held about a child. We consider the child's age, understanding and ability to exercise their own rights, the parent/carer's authority, safeguarding considerations and information about other people.

SUBJECT ACCESS REQUESTS AND ACCURACY

A subject access request can be made verbally or in writing and does not need special wording. Contact the Data Protection Lead using the details above. We may ask for information needed to verify identity or authority. Relevant exemptions, confidentiality, safeguarding and third-party rights may affect what can lawfully be disclosed.

Please tell us promptly if important information changes or is inaccurate, particularly emergency contacts, medical/allergy/medication details, safeguarding information, authorised collection arrangements or placement details.

DATA-PROTECTION COMPLAINTS

If you are concerned about how The Ark has used personal information, contact the Data Protection Lead at info@thearksmallholding.co.uk. The Ark will provide an accessible complaints route, acknowledge a data-protection complaint within 30 days, investigate appropriately, keep the complainant informed and communicate the outcome without undue delay.

You also have the right to complain to the Information Commissioner's Office (ICO). Current signposting: ico.org.uk/make-a-complaint/; helpline 0303 123 1113; Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

CHANGES TO THIS NOTICE

This notice will be reviewed at least annually and whenever The Ark makes a material change to how personal information is used. Where a change is significant, affected people will be informed in an appropriate way, for example through placement information, direct communication or the website.

WORKFORCE, APPLICANTS AND VOLUNTEERS PRIVACY NOTICE

This notice applies to employees, workers, job applicants, volunteers, work-experience/placement adults, contractors and other people whose information The Ark processes for recruitment, engagement and workforce management.

CONTROLLER AND CONTACT

Controller: The Ark Smallholding Ltd (company number 12944497).

Registered office: 7 Yew Tree Lane, Leeds, England, LS15 9JD.

Provision/contact address: The Ark Smallholding, Main Street, Collingham, Leeds, LS22 5AS.

Data protection contact: Data Protection Lead, info@thearksmallholding.co.uk, 07754 315 387.

Current lead: Kane Wilson

INFORMATION WE MAY PROCESS

- identity, contact details and emergency contacts;
- application forms, CV information where accepted as supplementary evidence, employment/volunteering history, qualifications and training;
- references and interview/selection records;
- right-to-work and identity-check records;
- DBS/safeguarding suitability information and relevant criminal-offence data where legally permitted;
- contracts, role, working arrangements, attendance, performance/appraisal, supervision, grievance/disciplinary and whistleblowing records;
- payroll, tax, pension and bank information where applicable;
- health, disability, reasonable-adjustment, sickness/absence and occupational-health information where applicable;
- safeguarding allegations/low-level concerns and suitability information where lawful;
- training, access-control, IT/security and organisational communications records.

PURPOSES AND LAWFUL BASES

The Ark uses this information to recruit safely, assess suitability, perform contracts, meet employment/tax/right-to-work/DBS and safeguarding obligations, manage pay and administration, support health and safety and reasonable adjustments, supervise performance, investigate concerns, protect children, and establish/exercise/defend legal rights. Depending on the activity, lawful bases may include contract, legal obligation, legitimate interests, recognised legitimate interests for safeguarding/crime-related purposes where criteria are met, and consent only where genuinely optional. Special-category and criminal-offence data are processed only where additional UK GDPR/DPA 2018 conditions are met.

WHO WE MAY SHARE INFORMATION WITH

- HMRC, pension/payroll/accountancy providers and professional advisers where applicable;

- DBS, Home Office/right-to-work services and regulatory/safeguarding bodies where lawful;
- Leeds LADO, police, Children's Social Care, DBS and commissioning schools where safeguarding or suitability information must be shared;
- insurers and legal advisers;
- approved IT/cloud and other service providers under appropriate contracts.

RECRUITMENT ASSURANCE AND DBS INFORMATION

The Ark minimises the criminal-record information it retains. It may provide commissioning schools with proportionate assurance that required recruitment checks have been completed, but will not ordinarily disclose confidential DBS content unless there is a lawful and necessary reason.

RETENTION, RIGHTS AND COMPLAINTS

Workforce and applicant information is retained according to The Ark's controlled Retention and Disposal Schedule, taking account of employment, safeguarding, tax, limitation and recruitment requirements. Rights are qualified in the same way described in the learner notice. Requests or data-protection complaints should be sent to the Data Protection Lead. The ICO complaint route and contact details are the same as set out above.

WEBSITE, ENQUIRIES AND VISITORS PRIVACY NOTICE

This notice covers personal information collected through The Ark's public website, general enquiries and appointment/visitor communications.

WHAT WE MAY COLLECT

- name, email address, telephone number and other information included in an enquiry;
- referral/enquiry information deliberately submitted through a form or email;
- basic website technical information such as IP/device/browser data if generated by hosting/security logs;
- cookie or analytics information where the website actually uses those technologies;
- appointment and visitor details where relevant.

WHY AND LAWFUL BASIS

The Ark may use this information to respond to enquiries, arrange visits, manage referrals, protect website security, maintain service records and meet legal obligations. Legitimate interests will often be relevant to ordinary enquiries and website security; contract may apply where a person is taking steps to enter a contract; consent may be needed for optional marketing or non-essential cookies where applicable.

RIGHTS AND COMPLAINTS

Website users have the data-protection rights applicable to the relevant processing. Contact the Data Protection Lead at info@thearksmallholding.co.uk. The data-protection complaints and ICO routes are the same as in the learner notice.