

# DATA PROTECTION LAW IN THE UK IS CHANGING IN MAY 2018

## GENERAL DATA PROTECTION REGULATIONS **GDPR**



European wide and joined up to protect people in the modern information age. Has been in place since 2016 with a deadline to implement in UK law by 25th May 2018. Agreed will still be here after Brexit. The UK has taken a lead in helping develop the new regulations. Impacts data on any EU Citizen and includes data held outside of the EU (EEA). Larger penalties for organisations that breach the rules. More control for the individual.



Includes Schools

What sort of Data?

- Student Education Data
- Student Medical Data
- Parent Data
- Staff Employment Data
- Staff Health Data
- DBS Data
- Safeguarding Data
- Special Needs
- Contracts with Suppliers
- Web site
- School Meals Data
- CCTV

Board of Governors Accountable. Take the lead, are the - Data Protection Champion Provide assurance it is being done right.



Risks - from a loss of personal data control  
Harm to the data subject  
Harm to the reputation of the school  
Breach of the regulations - fines.



# INTRODUCTION FOR PARENTS



Impacted:  
Staff  
Parents  
Children  
Volunteers



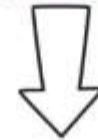
Known as "Data Subjects"  
The individual that the data identifies

Applies to: Data that can identify an individual. Health, religious, ethnic and other sensitive information has additional protections. Extra protections for children.

## TERMINOLOGY

Data Controller - The person that decides what to do with the personal data and how that is done ie the school  
Data Processor - The person that uses/processes the data under the instruction of the Data Controller such as a cloud storage company and other service providers for example the school meals provider.

For many years schools have been following strict data protection policies.  
Data has been kept secure  
Data has been used appropriately and with consent  
Much will stay the same - but updates will be needed.



## RIGHTS

Schools will need to be prepared to support delivery of these rights.

- Right to be informed - to know what data will be used for, for how long, by who etc
- Right of access - be able to see and know the data being held
- Right to rectification - to fix any errors in the data held
- Right to erasure - to choose to have the data erased
- Right to restrict processing - to stop the data being used for certain purposes
- Right to data portability - to move a copy of the data elsewhere
- Right to object - to complain about what someone has done or will do with the data
- Rights related to automated decision making and profiling

Schools will need to know the Lawful Basis: for each of the types of data that they have. In legal terms explain why they have it and why they are using it. The regulations define these categories.

Consent: one possible lawful basis often used by schools.

Consent must be:

- Unambiguous and involve a clear affirmative action
- There must be clear records to demonstrate consent
- Right to withdraw consent
- Granular consent for distinct processing operations
- Bans pre-ticked opt-in boxes
- Separate from other terms and conditions

UK REGULATOR - INFORMATION COMMISSIONER OFFICE (ICO)  
LOTS OF USEFUL INFORMATION ON THEIR WEB SITE [WWW.ICO.ORG.UK](http://WWW.ICO.ORG.UK)



## WHAT WILL SCHOOLS BE DOING TO PREPARE?

Auditing current policies to ensure they are up to date  
Checking lawful basis and consent for the data they hold  
Taking to external parties about their responsibilities.  
Training and awareness (this video for example)

## WHAT DO YOU NEED TO DO?

No urgent action needed at the moment.  
Keep up to date with communications that may follow as schools update processes.  
Be patient as schools try to minimise the cost of the change.  
Schools may need to update you and seek consents, return these promptly.  
Ask if you have questions or concerns.