



**GOVERNORS
FOR SCHOOLS**

GDPR

**What governors/trustees
need to know**

**26th April
2018**

- A governor for 27 years
- Qualified performance coach
- Head of Governance Consultancy, Babcock 4S
- Creator/editor-in-chief of www.bettermgovernor.co.uk
- Chair of one Governing Body, one Academy Trust, a Member of a MAT and vice-chair at a junior school

Aims of today's session:

By the end of the session we will have:

- clarified understanding of GDPR and how it will impact the education system
- ensured you know what your school/trust needs to have in place
- explored how, as governors/trustees, we can seek assurance that our school/trust is compliant with GDPR

General Data Protection Regulation



General Data Protection Regulation (GDPR)



But what is GDPR?



processing.

School Week reported that 66 schools reported data breaches in 2015, including the accidental loss, theft or revealing of information. **None faced action.**

A growing number of high-profile cyber attacks also show the risk for public organisations. In May a virus infiltrated

GDPR – key terms.

controller

- the body collecting the data

processor

- the body using (processing)
the data

breach

- of security, or
failure to comply

compliance

- Abiding by rules

consent

- appropriate,
explicit permission

DPO

Data Protection
Officer



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Poll #1

Why GDPR applies to schools:

- Public Authorities are covered by GDPR
- Schools are public authorities (ICO)

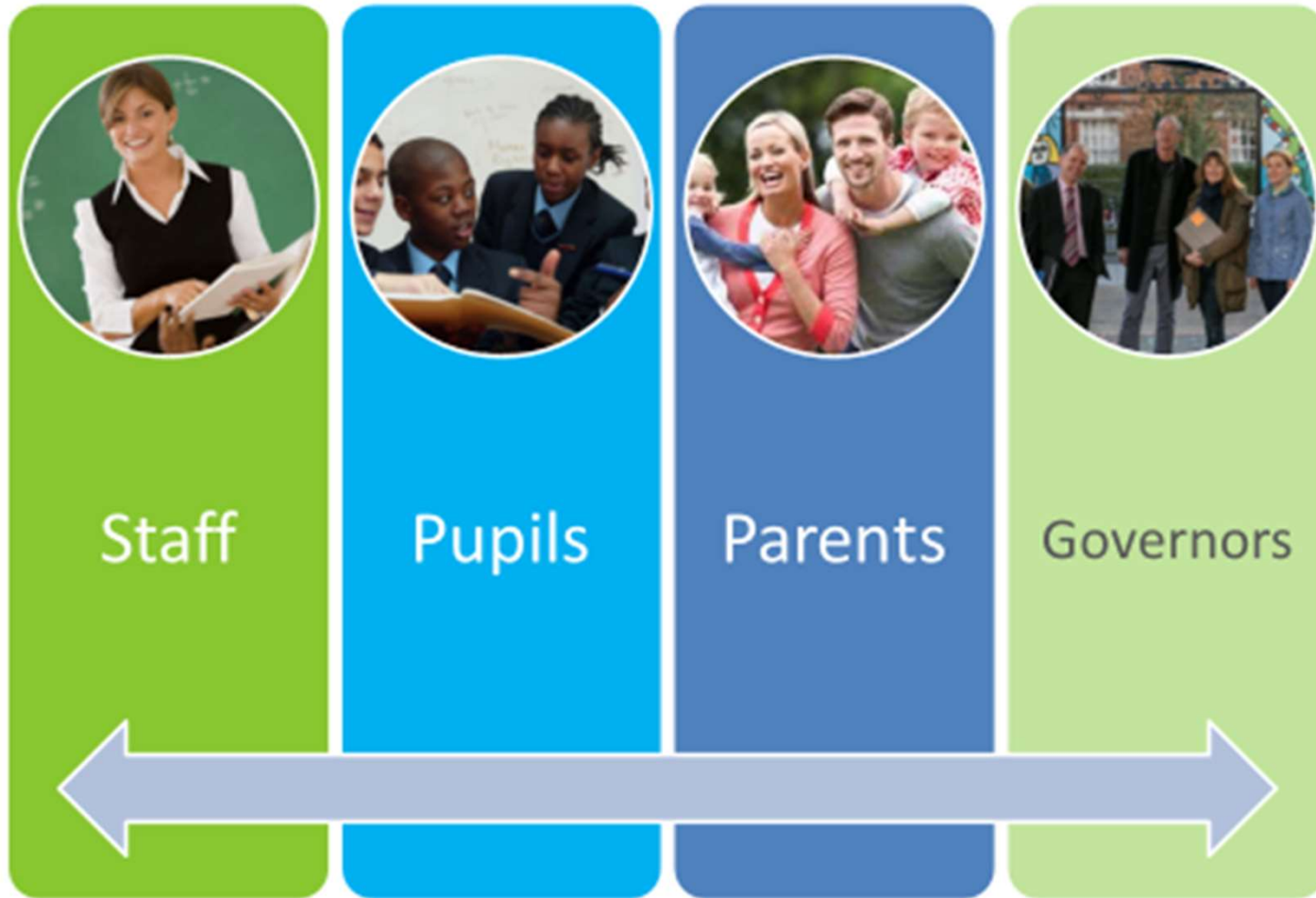
N.B. if schools and trusts already meet requirements of current data protection regulations, GDPR is an evolution from there.

Personal data

Any information relating to an identifiable person who can be directly or indirectly identified, in particular by reference to an identifier. This includes:

- Name
- Identification number
- Location data or online identifier
- Genetic data
- Physical, mental, economic, cultural or social characteristics (Special data)

Personal Data in schools



Key changes under GDPR

- Enhanced documentation to be retained by data controllers
- Enhanced Privacy Notices
- Tighter rules on consent
- Data Protection Officers

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Documentation

Enhanced documentation to be retained by data controllers:

- Information audit to map data flow
- Data held, source, if shared and how it is used
- Lawful basis on which data is used
- Evidence of consent

Lawful basis for processing

There are six lawful bases for processing data; none are better than any other and all require that processing is *necessary*. They are:

- Consent
- Contract
- Legal obligation
- Vital interest
- Public task
- Legitimate interest

Privacy Notices

A good privacy notice should

tell you who is **collecting** your information, what it is going to be **used** for, whether it will be **shared** with other organisations.

ico.
Information Commissioner's Office



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Data Protection Officer

- A designated individual – responsible for data protection compliance, and has knowledge, support and the authority to carry out the role
- Reports to the highest level of school/Trust leadership
- *NOT* Headteacher or ICT Manager – conflict of interest
- Role can be shared across a number of schools or MAT
- Could be an external data protection officer



Poll #2



RIGHT TO BE
FORGOTTEN



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The Role of the governing body/trust

Ensure through seeking assurance!

- Understand the key changes
- Ask senior leaders for evidence of preparation
- Review the schools policies and procedure
- Scrutinise the appointment of the data protection officer
- Plan how the you will monitor GDPR compliance
- Local governing bodies in MATs: check the

What you need to know, when you need to know it



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Further information:

DfE information video for schools

<https://ico.org.uk/for-organisations/education/>

Tools and Resources

- Guide to GDPR (108 pages)
- GDPR - 12 steps to take now
- Data Protection self-assessment
- GDPR – FAQs for the Education sector

Model Privacy Notice

<https://www.gov.uk/government/publications/data-protection-and-privacy-privacy-notice>

DfE Toolkit

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/701476/GDPR_Toolkit_for_Schools.pdf



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