

GDPR – General Data Protection Regulations

April 2018

This presentation will introduce all staff to the GDPR, which come into effect on the 25th May 2018.

Selwyn Primary School
and Portway Primary
School are part of the
Leading Learning Trust.



**Leading
Learning Trust**

What is the General Data Protection Regulation?

- The General Data Protection Regulation is a piece of EU-wide legislation which will determine how people's personal data is collected, stored and processed.
- It also covers the legal rights that individuals have in relation to their own personal data.
- It will apply to all organisations in the UK, including schools, from the 25th May 2018 (this is the case despite the UK's decision to leave the EU).
- It is similar to the Data Protection Act (DPA) 1998 in many ways. Most of the differences involve the GDPR building on or strengthening the principles of the DPA.
- Like the DPA, the GDPR will be regulated by the Information Commissioner's Office (ICO).



What are the key principles around data processing?

- **Data must be:**
- Processed lawfully, fairly and transparently;
- Collected for specific, explicit and legitimate purposes;
- Limited to what is necessary for the purposes for which it is collected and processed;
- Accurate and kept up to date;
- Securely held;
- Only retained for as long as is necessary for the reasons it was collected.



What new rights do individuals have in relation to their personal data?

- **Individuals' rights include:**
- To be informed about how their data is used;
- To have access to their data on request (termed a Subject Access Request);
- To rectify incorrect information;
- To have their data erased on request;
- To restrict how their data is used;
- To move their data from one organisation to another;
- To object to their data being used at all.



GDPR in 2 short videos plus a link to DfE guidance

- [This video](#) provides a short introduction to the GDPR and is aimed at all school staff.
- [This video](#) was produced by the Department for Education, and provides an overview of what schools need to do to ensure that they are compliant with the regulations.
- [This toolkit](#) has been provided by the Department for Education, and was published on the 23 April 2018.

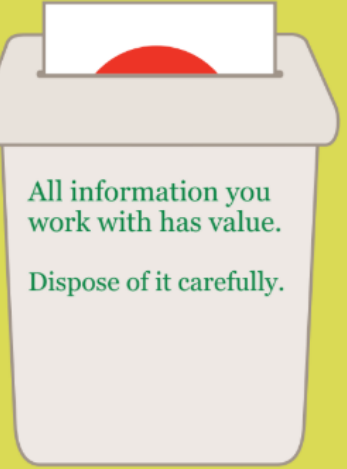


GDPR compliance in pictures (from the ICO)

Think.

Check.

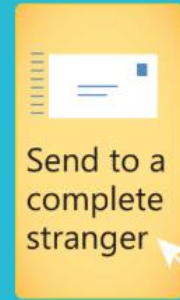
Share



GDPR compliance in pictures (from the ICO)

All information you work with has value.

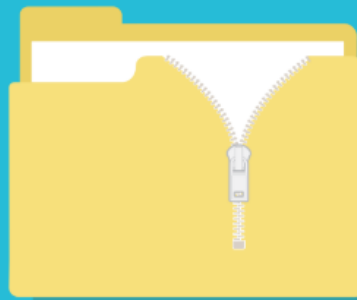
Think before leaving it unattended.



Send to a complete stranger

Most security breaches happen because of distractions or mistakes.

zipped:



When sending information out of the office –

All information you work with has value.

Only use authorised IT systems.

GDPR compliance in pictures (from the ICO)



Thank you for listening to this important briefing

- As a school, and as a staff team, we have robust safeguarding processes and procedures in place to protect our children. Protecting personal data is another way in which we protect our children at school.
- Remember that *'the law does not prevent information about children being shared with specific authorities if it is for the purposes of safeguarding'* ([DfE GDPR Toolkit](#), p.19)
- Like safeguarding, DATA PROTECTION IS EVERYONE'S RESPONSIBILITY.
- Claire Stewart is our Data Protection Officer across both Selwyn and Portway – please speak to her or email her on Claire.stewart@leadinglearningtrust.org should you have any queries or concerns at any time.



A summary of the changes that the GDPR will bring about

- **Appendix**
- This presentation has provided a brief overview of what GDPR is and how it applies our schools. The following 4 slides are an Appendix which lists the key changes in a number of areas.
- The information on this Appendix was sourced from The Key for School Leaders.



What has changed – privacy notices and subject access requests

- **Privacy notices**
 - The GDPR is more detailed on what you must include in your privacy notice. You still need to say who you are, why you process information and what you do with it, but now you must also include items such as your legal basis for processing, the individual's right to make a complaint to the supervisory authority and other rights in relation to access and correcting inaccurate data.
 - All privacy notices should be in clear and plain language, but particularly those that refer to children's data – so that a child can easily understand.
- **Subject access requests**
 - Currently, you have 40 days to comply with a subject access request and in some circumstances you can charge for the cost of complying.
 - Under the GDPR, you won't be able to charge in most cases and normally you'll have just a month to comply.



What has changed – consent and protection for children

- **Consent**
- The GDPR brings in stricter rules around consent.
- Consent for processing someone's personal data must be freely given, specific, informed and unambiguous, and a positive affirmation of the individual's agreement. For example, this may be relevant for any contact preferences you hold for parents and alumni for school fundraising purposes
- **Protections for children**
- For the first time, the GDPR will bring in special protection for children's personal data, though only in the context of commercial internet services such as social networking.
- You will need to consider whether parental/guardian consent is required for the data processing you carry out with regards to things such as using apps in the classroom.



What has changed – data breaches and data protection impact assessments

- **Data breaches**
- The ICO must now be notified within 72 hours of data breaches where an individual is likely to suffer some form of damage, such as through identity theft or a confidentiality breach.
- **Data protection impact assessments**
- It's currently good practice to carry out a privacy impact assessment when your school is considering using data in new and innovative ways, or implementing new technology to monitor pupils in some way.
- This will become a legal requirement in some circumstances under the GDPR. The ICO suggests, for example, that you might do this where you've considered implementing a new web monitoring system in the classroom or sharing data with a local troubled families initiative.



What has changed – Data Protection Officer, compliance and fines

- **Data Protection Officer**
 - You can currently choose whether you want a designated data protection officer in your school.
 - Under the GDPR, all public authorities must designate a data protection officer to take responsibility for data protection compliance. This means that many schools will need to put this in place for the first time. Consider where this role will sit within your organisation's structure and governance arrangements.
- **Demonstrating compliance**
 - Schools will have to be able to demonstrate how they comply with the new law. It's important that schools are committed at the highest level to putting the relevant policies and procedures in place, and to ensure that they are complied with at all times.
- **Fines**
 - Currently the maximum fine for breaching the Data Protection Act is £500,000. Under GDPR, this will increase to the higher of 20 million euros (or 4% of annual turnover).

