

GDPR Update for Governors

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Objectives of this session

- The nature and requirements of GDPR on schools
- The key challenges facing schools
- The role of a DPO
- The role of governors in data protection
- Key, strategic questions governors should ask
- Practical Tips

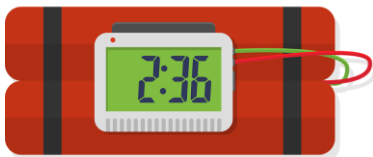


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GDPR and Data Protection Act 2018

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Principles of GDPR

Personal data should be:

- processed **lawfully, fairly** and in a **transparent** manner
- collected for **specified, explicit** and **legitimate** purposes
- **adequate, relevant** and **limited** to what is necessary
- **accurate** and where necessary kept **up to date**
- kept in a form which permits identification of data subjects for **no longer than is necessary**
- processed in a manner that ensures **appropriate security** using appropriate **technical or organisational measures**



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Challenges for Schools

- Handling highly sensitive (special category) data
- Cultural shift
- **All** staff need to be aware of responsibilities
- Updating privacy notices and policies
- Determining what data held, where, why, how long for etc.
- Third party companies
- Processes for data requests and breaches
- DPIA's (risk assessments) for new technologies



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DPO Tasks

- To **inform** and **advise** the organisation and its employees:
 - **Reports** to the highest management level
 - Operates **independently**
 - Supported with **adequate resources**
 - No **conflict of interests**
- To **monitor compliance** with the GDPR and data protection laws:
 - **Not personally responsible for non-compliance**
 - Must have some **expert knowledge** of school systems
- To be the **first point of contact** for ICO and for individuals:
 - Advise on / report data requests and data breaches



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Data Protection Officer (DPO)



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DPO Role

- May be oversight only – depends on role
- Ensure you have a data protection team to support DPO to ensure sustainability
- Ensure all staff aware of how to report breaches, requests etc.
- DPO must have resources to support with carrying out their role

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The Role of the Governing Body

- Strategic support and challenge
- How do we know we meet GDPR requirements?
 - Policy
 - Practice (learning walks)
 - Culture and conversations
- How will we embed the review of our GDPR approach for effectiveness?



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Key Questions for Governors

- How is the school ensuring the culture is appropriate to prevent breaches?
- Who will report to the Governing Body? How often? Through which committee?
- How do we make sure we are mindful of approach to data protection? Visits? Meetings?
- How would we respond to a data protection breach?
- How do we handle sensitive data as a Governing Body?



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Where is *your* school now?

Have you:

- Appointed a DPO/DP team
- Updated policies and privacy notices
- Audited data
- Trained all staff
- Reviewed third party contracts
- Planned for response to SAR's
- Prepared for data breaches
- Embedded data protection by design



How would you know?



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Some Do's and Don'ts

- **Do** ensure that the journey to compliance is well underway, and visible to all
- **Do** ensure that data protection is kept high on the agenda
- **Do** ensure staff feel able to report breaches
- **Do** provide the DPO with the support needed to carry out their role
- **Do** review the way data is handled by the Governing Body

- **Don't** panic!
- **Don't** let staff think that data protection is just for the DPO/DP team
- **Don't** assume that updating policies means the GDPR work is done...
- **Don't** 'over report' breaches to the ICO
- **Don't** forget to keep data protection in mind during school visits



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Top tips (in our experience)

- See GDPR compliance as a never-ending journey
- Don't be complacent
- Contact the ICO with concerns
- Ensure you have the right culture for compliance
- The future is as important as putting the past right
- Your GDPR compliance is only as strong as the weakest team member
- Progress not perfection....



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