General Data Protection Regulations (GDPR)

The law is changing and the General Data Protection Regulations (GDPR) came into effect on 25th May 2018. It will bring higher standards for handling data and greater expectations for improved transparency, enhanced data security and increased accountability for processing personal data. Schools will have a legal duty to comply with the GDPR.

Please take the opportunity to watch the short video clip below.

https://www.youtube.com/watch?v=Ua_LzUJ_wu8

The new GDPR (General Data Protection Regulation) is replacing the current Data Protection Act (DPA) and is set to strengthen and unify all data held within an organisation. For schools, GDPR brings a new responsibility to inform parents and stakeholders about how they are using pupils' data and who it is being used by.

What does GDPR mean for schools?

A great deal of the processing of personal data undertaken by schools will fall under a specific legal basis, 'in the public interest'. As it is in the public interest to operate schools successfully, it will mean that specific consent will not be needed in the majority of cases in schools.

GDPR will ensure data is protected and will give individuals more control over their data, however this means schools will have greater accountability for the data:

- Under GDPR, consent must be explicitly given to anything that isn't within the normal business of the school, especially if it involves a third party managing the data. Parents (or the pupil themselves depending on their age) must express consent for their child's data to be used outside of the normal business of the school.
- Schools must appoint a Data Protection Officer and be able to prove that they are GDPR compliant.
- Schools must ensure that their third party suppliers who may process any of their data is GDPR compliant and must have legally binding contracts with any company that processes any personal data. These contracts must cover what data is being processed, who it is being processed by, who has access to it and how it is protected.
- It will be compulsory that all data breaches which are likely to have a detrimental effect on the data subject are reported to the ICO within 72 hours