The GDPR preparation pack

A pack of material to help explore ideas about how schools can prepare for the General Data Protection Regulation

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Introduction

The General Data Protection Regulation (GDPR) will come into effect on the 25th May 2018 and will cover all the countries in the EU and will be adopted by the UK. It is heavily based on the Data Protection Act 1998 but will lead to schools will having to refine their approach to Data Protection.

At its heart it changes the importance of Data Protection and emphasises the schools' accountability. Making Data Protection important means that the schools should employ 'Privacy by Design' – thinking about how the school uses data in everything it does. There is also an emphasis on accountability which will inevitably mean the school will have to increase the amount of documentation it uses to record procedures and issues.

This pack contains ideas for documents to support schools. They are all in Word format and should be changed to suit the school. There may be cases where there are better ways of recording incidents and these should always be used.

In all cases the link used is only available to schools who have subscribed to the eLIM Ed Tech service.

We also release these material to any school attending a Data Protection training day.

If other schools wish to access the documents, then they should contact contact@somersetelim.org to discuss how they could be provided.

On its own this documentation does not give the full picture of the changes needed for GDPR. Schools are encouraged to attend Data Protection training which will be published on the Support Services for Education website

http://www.supportservicesforeducation.co.uk/

or email the contact below to arrange custom training for your setting which can be at no extra cost if you are a subscribing school.

Quote - 'Thought I would never find Data Protection interesting … but I did!'

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eLIM can support schools with work around Data Protection

Please do not hesitate to contact us if you need further advice or support.

contact@somersetelim.org

www.somersetelim.org

Data Risk Register

Data Protection Risk Register: People

Group of people	Reasons
Teachers	
Office Staff	
Other members of the workforce	
SLT	
Tech Support	
Local Authority	
Other Companies	
Parents/Guardians	

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This GDPR encourages you to develop 'Privacy by Design'.

To this end you should start thinking about where the dangers are.

To enable a school to complete a risk analysis it might be easier to think about people rather than technology.

Try to think about where there are dangers of the release of personal data.

This document is best completed by two or more people working together.

https://slp.somerset.org.uk/sites/edtech/Subscriber%20Only/Data%20Protection/eLIM%20GDPR%20People%20Risk%20Doc.docx

Data Audit

A key element in Data Protection is knowing what data you hold.

This document is essential to any school.

You may need more than one person to complete the document and it should be kept as a dynamic document.

It is essential that you record whether you have a legal, statutory or other reason to hold the data.

You should also not forget the teachers who may have signed up to services which need personal data such as iPad Apps.

https://slp.somerset.org.uk/sites/edtech/Subscriber%20Only/Data%20Protection/elim%20-%20Data%20Asset%20Audit%20-%20GDPR.docx

Privacy Notices

Within the GDPR there are new rules about what you tell people about the data you hold.

This will be in the form of a privacy notice. The document should be written in a way that makes it suitable for the audience.

As 13 year olds will have new rights the document should be written for that audience.

You can use the attached document as the basis for your privacy notices.

As with all your documents you should make sure that it matches what you're the practice is in your school.

https://slp.somerset.org.uk/sites/edtech/Subscriber%20Only/Data%20Protection/elim%20-%20GDPR%20Privacy%20Notice.docx

Privacy Impact Assessment

Privacy Impact Assessment

What is the aim of the project?
What data will be collected?
How will the data be collected?
Where will the data be stored?
How will the data be shared?
How will the data be amended or deleted?
Identified risks (Issues, Risk to individuals, Compliance Risk, School Risk, Possible Solution)
Signed Off by: Date:

Although only really needed where there is a high risk if the data gets lost we recommend that the school assesses uses of personal data using a document which is called a Privacy Impact Assessment.

Ideally it would be used for all new uses of personal data. It should be completed by the person who wants to use that service and signed off by the Data Protection Lead.

This will then be used to inform the Data Audit.

You might like to retrospectively complete this form retrospectively for high risks uses of personal data.

https://slp.somerset.org.uk/sites/edtech/Subscriber%20Only/Data%20Protection/eLIM%20PIA.docx

Subject Access Record

Subject Access Request Record

Name of data subject: _____

Name of person who made request: _____

Date request received: ____/____/____

Contact DPO: ____/____/____

Date acknowledgement sent: ____/____/____

Name of person dealing with request: _____

	Notes (Overwrite the statements in grey)
Are they entitled to the data?	If no reply stating reasons and/or ask for proof
Do you understand what data they are asking for?	If no, ask requestor for clarity
Identify the data	What data sources, where they are kept
Collect the data required	You may need to ask others – state a deadline in your request.
Do you own all the data?	If no, ask third parties to release external data. If data is supplied by another agency such as Psychology Service, you do not own the data.
Do you need to exempt/redact data?	If exempting/redacting be clear of your reasons Document name, data exempted/redacted, why.
Is the data going to be ready in time?	Record delays and reasons. Communicate with requestor stating reason for delay and asking if they would like the data you have collected so far.
Create pack	Make sure that the data is in an easy to access format: paper, word, excel etc.
Inform requestor you have the data	Ask them how they would like it delivered
Deliver data	Ask for confirmation/special delivery?

At all stages your DPO or Data Protection lead will be able to provide you with advice.

Date request completed: ____/____/____
(within 30 days of request)

Signed off by: _____

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There are several questions you have to ask in completing a Subject Access Request.

This document poses the question and records the decisions you have made.

There are many ways of completing this process within a school and you should use the one best suited to your setting.

https://slp.somerset.org.uk/sites/edtech/Subscriber%20Only/Data%20Protection/elim%20-%20SAR%20record.docx

Data Breach Record

| Data Protection Breach Record						
Date: / /		Person responsible for dealing with breach				
Outline of breach						
Which data subjects are involved						
Data type involved						
Reported by						
Phone/email sent to DPO	y/n	Is this high risk?		y/n	Report to ICO	y/n
Date reported to data subjects						
Actions taken						
Preventative action suggestions – including training						
Notes						
Actions approved by				Date	/ /	

All Data Breaches need to be recorded.

This document outlines the type of things that you should think about when dealing with a breach.

There are many ways of doing this and schools should use a system that is suitable for their setting.

Data Protection Policy

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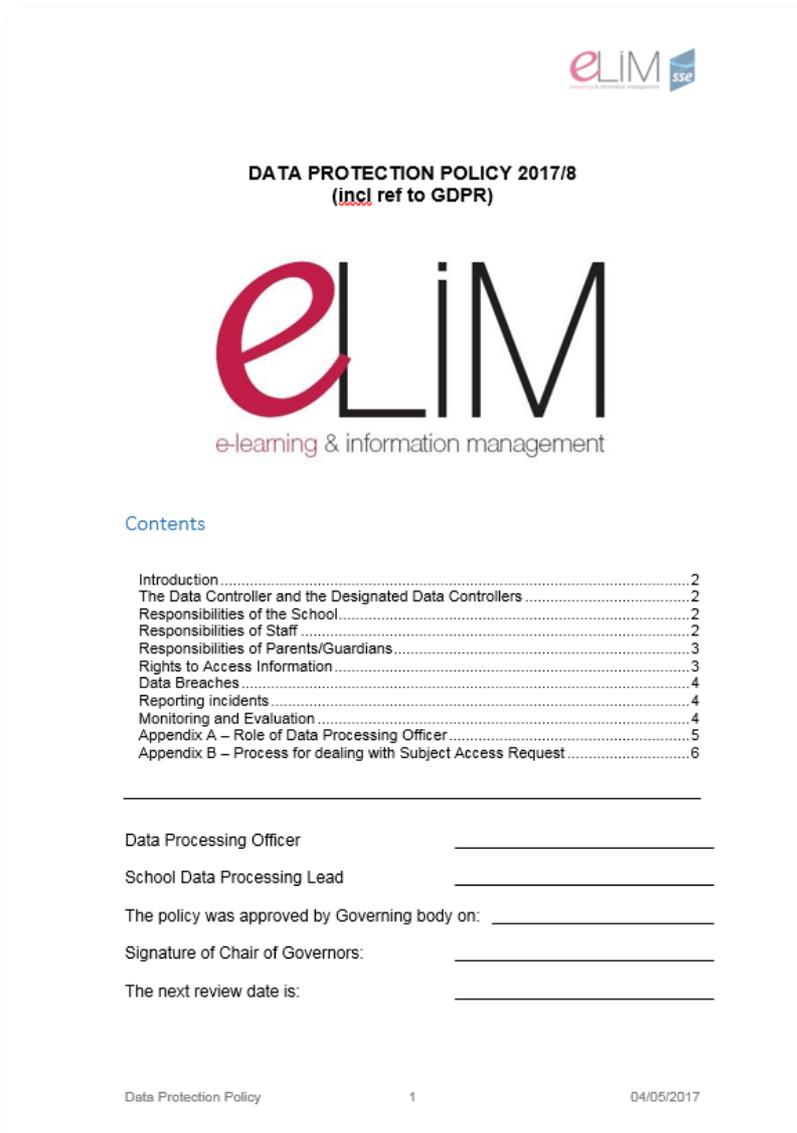
The school must have a Data Protection Policy.

If you have a policy that current then there is no need to change it, just add a note that you recognise that GDPR may change some practice.

If your school is due to review its policy in the near future, then you should consider rewriting it to include the changes that need to take place for the introduction of the GDPR.

This document is very much a model and should be changed by the school to reflect the practices within the school.

https://slp.somerset.org.uk/sites/edtech/Subscriber%20Only/Data%20Protection/elim%20-%20Model%20Data%20Protection%20Policy%20GDPR.docx