

DATA PROTECTION OFFICER SERVICE FOR SCHOOLS



As you probably know, the **General Data Protection Regulation (GDPR)**, and subsequent **Data Protection Act 2018** represent the most important changes in data regulations in 20 years.

Since coming fully into force in May 2018, they have reshaped the way data is handled and forced many schools to undergo costly procedural changes with a view to obtaining compliance.



The most important change is the requirement for each school to appoint a dedicated Data Protection Officer (DPO).

WHAT IS THE FUNCTION OF THE DATA PROTECTION OFFICER?

While the application of GDPR is developing, the following tasks are set out in the Regulation as the minimum for a DPO:

- ▶ **Advise the school** of their new data obligations and those that develop.
- ▶ **Monitor compliance** both with the law and internally with the school's policies.
- ▶ **Provide advice** on and monitor data protection impact assessments.
- ▶ **Cooperate** with the Information Commissioner's Office (ICO).
- ▶ **Manage Subject Access Requests (SARs)**, within the required 30 days.
- ▶ **Advise on** and report data breaches to the ICO within the required 72 hours.
- ▶ **Keep up to date** with developments with GDPR, and train staff accordingly.
- ▶ **Have due regard** to the data risks associated in the school's data handling.

WHO CAN BE A DATA PROTECTION OFFICER?

Schools can choose to appoint any person or company as their Data Protection Officer. However, the DPO **must** have the following professional qualities:

- ▶ **Independence** - their duties cannot lead to a conflict of interest in their own role. As a rule of thumb, conflicting positions may include senior management roles such as Headteacher, Business Manager or Governor; or in a Multi-Academy Trust (MAT) a CEO, COO or FD.
- ▶ **Sufficient expertise** to properly discharge the function of Data Protection Officer. The GDPR says that particularly they should have experience and expert knowledge of data protection law.

The **GDPR** doesn't specify the precise credentials a **DPO** is expected to have, but it does say that this must be proportionate to the type of processing you carry out, taking into consideration the level of protection the personal data requires. For schools this sets the bar high, because of the special category data in which they are processing.

Despite the mandatory nature of appointing a school DPO, many schools have yet to do so, or have failed to appoint one that complies with regulatory requirements.



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YOU CAN REGISTER FOR JUDICIUM EDUCATION'S DPO SERVICE AT A REDUCED RATE, EITHER AS:



A
STAND-ALONE
SCHOOL,



A
TRUST,
OR



A
CLUSTER
OF SCHOOLS.

With each option, your school will enjoy the benefit of the full DPO service, as set out overleaf, as well as free access to our school's GDPR compliance platform.

Judicium Education are offering a package Data Protection Officer service at a reduced rate. The service will help you ensure that your school has both the expertise and resources required to achieve GDPR compliance.

Judicium Education already act as designated Data Protection Officer for over 1,200 schools nationwide.

The service allows schools to appoint Judicium Education as their dedicated DPO for a fraction of the cost of appointing internally or having to recruit an outsider.

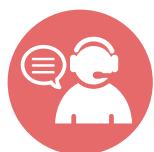
In addition to being able to call on our large team of data protection law experts, schools can benefit from compliance documentation, an annual onsite audit and an online compliance dashboard allowing them easy access and oversight on all data protection issues and records.

This DPO service is available to all schools in England and Wales and can be purchased directly from Judicium.

JUDICIUM'S DPO SERVICE SPECIFICATION

Our **Data Protection Officer Service** is intended to assist schools and Multi-Academy Trusts (MATs) in complying with the requirement to appoint such a role with the responsibilities set out in **Article 39** of the **General Data Protection Regulations (GDPR)**.

Our delivery of the Data Protection Officer role shall include:



Providing advice and guidance when required

We will appoint a **designated consultant** to manage the school's account. He or she will be an expert in this area and inform and advise the school or MAT, and their employees about the obligations that are required to comply with the **GDPR** and **other data protection laws**. This will be done by way of reports, information sheets and training. Telephone and email advice is also available for school or MAT leaders.



Creating and maintaining data records

We will assist the school to **create** and **maintain comprehensive records** of all the data processing activities carried out, including the purpose of all activities, which must be made public upon request.



Drafting data policies and procedures

We will assist the school to **devise** and **maintain policies** and **procedures** to regulate your processing of **personal data** and set out how to interact with external bodies, regulatory authorities, data subjects and information seekers.



Providing training for school employees

We will offer **training** to the **school's employees** on compliance with **GDPR** and **other data protection laws**. Training will be given in two workshops and online with our eLearning platform.



Acting as the first point of contact with authorities

We will be the first point of contact for **supervisory authorities** and for individuals whose data is processed.



Managing Subject Access Requests and those under Freedom of Information Act

We will **manage enquiries** under **data protection** and **freedom of information laws**, in that we will manage the **data collection process**, as carried out by the school's employees under our direction, and draft the various correspondences with the data subjects and regulatory authorities.



Conducting an annual audit of your data processes

In addition to providing **regular updates**, we will carry out an **annual audit** to provide an assessment of whether the school or MAT is following good **data protection practice**. The audit will look at whether you are following your policies and procedures and make recommendations for improvements including any new guidance from the **Information Commissioner's Office (ICO)**.

If you would like to talk about our **Data Protection Officer Service** and how we can work together to help your schools, please contact us at **020 7336 8403** or email enquiries@judicium.com

ACCESS TO JUDICIUM EDUCATION'S COMPLIANCE DASHBOARD

Judicium has created a **compliance dashboard** as a tool for schools to allow for **oversight** and **risk management**. Senior leaders and councillors, for example, can have comprehensive visibility of all their schools as an aid towards good compliance and governance oversight.



The dashboard can monitor Subject Access Requests and operates as a data breaches register. Monitor staff training progress and overall school compliance in the user-friendly interactive dashboard.

There is a **MAT dashboard** for corporate oversight over multiple schools, which could also be used in a single school to monitor multiple sites.



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WHY JUDICIUM?

This **DPO** package has been created specifically for schools.

Judicium are the **GDPR** trainers to the National Association of Head Teachers (NAHT).

**Judicium
act as DPO
for over 1,200
schools**

We understand the school sector – **primary, secondary and special.**

Our team of data protection experts advise schools on all aspects of **GDPR** as well as fulfilling the function of their **DPO**.

We handle **over 100** Subject Access Requests per week.

We handle **over a dozen** reportable data breaches per day.

If you would like to talk to **Judicium** about this Data Protection Officer service, email **enquiries@judicium.com** or call **020 7336 8403**

SOME RECENT EXAMPLES OF THE INFORMATION COMMISSIONER'S OFFICE (ICO) ENFORCEMENT ACTION



A council was issued an **enforcement notice** by the **ICO** in connection with outstanding **Subject Access Requests (SARs)**.



A university was fined **£120,000** by the **ICO** following a serious security breach.



A former Headteacher was fined for **unlawfully obtaining pupils' personal data** from a previous school where he worked, by using a USB stick.



Enforcement action was taken against a London-based hospital for **sharing personal data**.

QUESTIONS FOR YOUR SCHOOL'S DATA PROTECTION OFFICER:

A TEACHER LOST THEIR PAYSリップ, DO I HAVE TO REPORT IT TO THE ICO?

CAN I EMAIL PARENTS ABOUT OUR SCHOOL FUNDRAISER?

IS OUR CCTV PROVIDER GDPR COMPLIANT?

ONE OF MY TAs LOST THEIR MOBILE PHONE, DO I HAVE TO REPORT IT?

WHAT IS OUR BRING YOUR OWN DEVICE POLICY?

A PARENT REQUESTED ALL OF THE MINUTES OF OUR GOVERNORS MEETINGS, DO I HAVE TO DISCLOSE IT?

HOW LONG DO I HAVE TO KEEP STUDENT RECORDS?



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