

St. Jude's Catholic Primary School

GDPR Statement

What is the GDPR?

The GDPR is a set of guidelines for the collection and processing of personal information of individuals within the EU and is effective in the UK from 25 May 2018 – replacing the Data Protection Act (DPA) 1998.

Definitions

Data subject – is an individual who is the subject of the personal data.

Data controller – a person, or organisation who determines the purposes and ways that data is processed.

Data processor – any person who processes data on behalf of the data controller.

Data protection officer (DPO) – the person(s) responsible for ensuring the school is compliant with data protection legislation.

Personal data – information that can identify an individual, such as an address.

Sensitive data – information consisting of racial or ethnic origin, political opinions, religious or philosophical beliefs, etc.

Consent

Under the GDPR, consent **must** be:

- Freely given.
- Specific.
- Informed.
- Unambiguous.
- Firm confirmation or a positive opt-in (not pre-ticked boxes for example).

Consent **cannot** be obtained from the following:

- Silence
- Pre-ticked boxes
- Inactivity

Consent obtained under the DPA may need to be reobtained in compliance with the GDPR.

Individuals' rights

The GDPR has created new rights for individuals and strengthens some that existed under the DPA –these are the following:

- **The right to be informed**
- **The right of access**
- **The right of rectification**
- **The right to erasure**
- **The right to restrict processing**
- **The right to data portability**

- **The right to object**
- **Rights to automated decision-making and profiling**

Pupils' data and children

The GDPR has introduced new provisions that are intended to enhance the protection of children's data. Schools should have child-friendly privacy notices which are written in an age-appropriate way, to explain the ways in which the school processes and uses pupils' data.

Under the GDPR, children may, from the age of 13, consent for themselves, if it is deemed by the school that they have the capacity to understand the privacy notice. If not, the school should seek parental consent.

Storage

Article 5 of the GDPR states that personal data must be subject to the appropriate technical and organisational measures required to protect it against unlawful processing, and against accidental loss, destruction or damage. This could include a locked filing cabinet for paper files and encrypted, password-protected files for digital data.

Accountability and governance

Under the GDPR, schools are expected to have comprehensive and proportionate governance measures in place to minimise the risk of data breaches. Schools should:

- Implement internal data protection policies, e.g. staff training or reviews of internal HR policies.
- Maintain relevant documentation and processing activities.
- Appoint an appropriate DPO.
- Implement measures that meet the principles of data protection by default, including data minimization and transparency.
- Use data protection impact assessments where appropriate.

DPO

The DPO for St. Jude's School is Maria Dann.



Any questions that you have regarding the GDPR can be directed to Maria Dann using enquiry@stjuderc.bham.sch.uk or 0121 464 50