



GDPR management & support

DPO brochure and guidance

Supporting schools through the new General Data Protection Regulations

2018 will be a demanding year for schools!

The complex changes to data protection regulations are sure to bring real challenges, impacting school resources and finances.

GDPR mandates the appointment of a DPO for all public bodies including all state-run schools. Private schools and nurseries must also appoint a DPO since their core activities involve 'regular and systematic monitoring of data subjects on a large scale'.

Therefore, **SchoolPro TLC** will:

-  Centrally act as the DPO for a single school or multiple schools.
-  Demonstrate commitment to manage data sensitively & ethically
-  Educate the school and its staff on important compliance requirements;
-  Train staff involved in data processing;
-  Conduct audits to ensure compliance and address potential issues proactively;
-  Build a framework to encourage a culture of privacy and prompt good practice surrounding data protection

“Accountability is at the centre of all this: of getting it right today, getting it right in May 2018, and getting it right beyond that.”

Taking the lead in schools Elizabeth Denham, Information Commissioner, ICO

Why use **SchoolPro TLC** as your DPO?

The DPO needs to have expertise in data protection and practices, as well as a complete understanding of your IT infrastructure, technology, technical and organisational structure. At **SchoolPro TLC** our trained representatives are experienced school leaders and are therefore aware of in school data streams. Having the in school experience will enable the decision makers and our representatives to quickly determine data protection compliance priorities.

You may designate an existing employee as your DPO, however, there must be no conflict of interests with their existing role. Or you may bring in an external DPO. Acting as an external DPO, **SchoolPro TLC** would be wholly objective and be available at all times, therefore not detracting away from streams of work that an internal DPO may experience.

Ideally, a DPO should have excellent management skills and the ability to work easily with internal staff at all levels as well as outside authorities. As all representatives from **SchoolPro TLC** have worked as school senior leaders we understand and pride ourselves in the importance of building positive professional working relationships with all agencies. At **SchoolPro TLC** we will do everything possible to ensure internal compliance and alert the authorities of non-compliance if such an event occurs. With our clear understanding that the school may be subjected to hefty fines for non-compliance, our framework including training and audits will mitigate any non-compliance wherever possible.

At **SchoolPro TLC** we can also act as the DPO for related organisations to oversee data protection collectively, ensuring that all data protection activities are managed effectively. In this scenario, we as the DPO would ensure our accessibility from any of the related organisations whenever needed.

DPO responsibilities and requirements

The DPO's minimum tasks are defined in Article 39* of the new European Union GDPR legislation:

-  To inform and advise the organisation and its employees about their obligations to comply with the GDPR and other data protection laws.
-  To monitor compliance with the GDPR and other data protection laws, including managing internal data protection activities, advise on data protection impact assessments; train staff and conduct internal audits.
-  To be the first point of contact for supervisory authorities and for individuals whose data is processed (employees, customers etc).

* <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679&from=EN>

SchoolPro TLC will facilitate the following tasks whilst acting as the DPO:

-  Educating the school and its staff on important compliance requirements;
-  Training staff involved in data processing;
-  Conducting audits to ensure compliance and address potential issues proactively;
-  Serving as the point of contact between the school and GDPR Supervisory Authorities;
-  Monitoring performance and providing advice on the impact of data protection efforts;
-  Monitoring the maintenance of comprehensive records of all data processing activities;
-  Interconnecting with data subjects or parents to inform them about:
 - How their data is being used;
 - Their rights to have their, or their child's personal data erased;
 - The measures in place to protect their, or their child's, personal information.

Qualifications for DPOs

The GDPR does not specify the relevant qualifications that DPOs need, however at **SchoolPro TLC** our representatives have undertaken the relevant training and have expert knowledge of data protection and practices.

So, who will be your DPO?

There are certain job roles within schools that mean that they are illegible to facilitate the role of the DPO. They are the, Head Teacher/Principal, Network manager, Designated Safeguarding Leads or Business/MIS manager. These duties lead to a conflict of interests of their own role. Article 38(6) allows DPOs to 'fulfil other tasks and duties'. It requires, however, that the organisation ensure that 'any such tasks and duties do not result in a conflict of interests'. The DPO cannot hold a position within the organisation that leads him or her to determine the purposes and the means of the processing of personal data. As a rule of thumb, conflicting positions may include senior management positions such as chief executive, chief operating, chief financial, chief medical officer, and head of marketing department, head of human resources, or head of IT departments.

Position	Advantages	Disadvantages
<p>Deputy head, other senior members of staff, or Governor</p>	<ul style="list-style-type: none"> • Provided they can manage, train and direct staff an internal person may be appointed • Will be known and respected by school staff • Can assign some work to an administration person. 	<ul style="list-style-type: none"> • Will need to be given sufficient time outside existing role, particularly until May 2018 • CANNOT be a DPO if these duties lead to a conflict of interests of their own role – see regulations • May not understand the technical infrastructure • May not understand data flows within the school • Will find communication with data subjects very time consuming • Need to drop everything in the event of a serious data breach • Will still require input from school staff
<p>External private professional DPO, or internal appointment for sole use in school</p>	<ul style="list-style-type: none"> • Wholly objective • Understands the regulations • Has technical knowledge • Will be available whenever required 	<ul style="list-style-type: none"> • Expensive • Will need time, thus cost, to understand the infrastructure in school • Will still require large input from school staff
<p>DPO role and shared with other schools or LA support services</p>	<ul style="list-style-type: none"> • Wholly objective • Understands the regulations • Has technical knowledge • Lower cost than private 	<ul style="list-style-type: none"> • Unknown cost • Will need time to understand the infrastructure in school • Shared person must be available if a breach or other incident occurs • Will still require input from school staff although that will improve over time

Our framework has been designed specifically to meet the needs of schools when managing data protection and ensuring compliance with data protection regulations. Our team of education professionals have nearly 40 years experience working in and with schools.

We would love the opportunity to work with you. Don't hesitate in contacting us for private and confidential discussions regarding your requirements.



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