



# Becket Primary School

## The Role of a GDPR Governor

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## Role of the GDPR governor

This guidance outlines the main responsibilities of the GDPR governor, and the questions they may want to ask when visiting the school to monitor the implementation and compliance with the GDPR.

Although it is not compulsory to appoint a named governor for this role, the governing board has responsibility for the oversight of the school's compliance with GDPR, and delegating this role to a suitably knowledgeable and skilled member of the governing board can assist governors to maintain strategic oversight of compliance with GDPR.

<b>Main responsibilities</b>
<b>General</b>
Understand the GDPR and the responsibility of the governing board to ensure data is collected and processed lawfully, fairly and in a transparent manner and with due compliance to the GDPR.
Ensure the appointment of a DPO who has the appropriate professional experience and knowledge of data protection law, particularly in schools.
Ensure the DPO is enabled to work independently and with sufficient resources to undertake the role.
Make certain that the DPO has regard to any guidance from ICO and DfE.
Ensure the Data Protection Policy is reviewed using the ICO (2018) 'Guide to the General Data Protection Regulation (GDPR)'. Commit to furthering knowledge, understanding and expertise in relation to GDPR, taking up training opportunities where available.
Ensure the governing board discusses, on a termly basis, the school's compliance with GDPR.
Work with the DPO to make certain the governing board receive a <u>bi-annual</u> update from the DPO on the school's compliance with GDPR.
Work with the DPO and the SLT to make sure that all staff and governors receive appropriate training and support.
<b>Monitoring</b>
Undertake termly monitoring visits to school to maintain oversight of compliance with GDPR.
Ensure that the DPO's annual report to the full governing board includes updates on: <ul style="list-style-type: none"><li>• Any policy amendments.</li><li>• Staff and governor training.</li><li>• Data protection impact assessments (DPIAs).</li><li>• The school data map.</li><li>• The data asset register.</li><li>• Data security.</li></ul>

- Any data breaches and the action taken.
- Details of any subject access requests (SARs).

The information shared with governors must be anonymised and only for the purpose of monitoring compliance and the identification of any trends or patterns that may need addressing.

Be satisfied that the school's policies and procedures include:

- Details of applicable data.
- The role of the DPO.
- Lawful processing of data.
- Securing positive indications of consent.
- The right to be informed.
- The right of access.
- The right to rectification.
- The right to erasure.
- The right to restrict processing.
- The right to data portability.
- The right to object.
- Automated decision-making and profiling.
- Privacy by design and privacy impact assessments.
- Data breaches.
- Data security.
- Publication of information.
- CCTV and photography.
- Data retention.
- DBS data.

### **Communication**

Ensure the DPO and SLT communicate to all staff, governors and volunteers that compliance with the GDPR is the responsibility of all, therefore, they need to be aware of who the DPO is, their role, and the in-school data processes relevant to their role.

Ensure the school has clear lines of communication, and appropriately shares with parents, staff and pupils and any relevant external agencies their rights, and the school's responsibilities, under the GDPR.

Ensure that information is only shared on a need-to-know basis and monitor systems to ensure the confidentiality of information is secured.

## GDPR governor suggested questions during monitoring visits

Question	Comments	Action required?
<b>Whole school</b>		
Is there a GDPR compliant data protection policy in place?		
Have all policies affected by the GDPR been reviewed and updated?		
Has a DPO been appointed?		
Does the DPO have a job description that details all aspects of the role?		
Has the DPO had appropriate training to carry out their role?		
What arrangements are in place to allow the DPO sufficient time and resources to discharge their responsibilities as set out in the ICO (2018) 'Guide to the General Data Protection Regulation (GDPR)'.		
Have all staff, governors and volunteers received adequate training?		
Do all staff, governors and volunteers understand their individual responsibility in compliance with GDPR?		

Are staff, governors and volunteers clear on what constitutes a data breach and what to do in the event of a data breach occurring?		
Have access authorisations to stored, including electronically stored, information been reviewed and updated?		
Are there adequate resources in place to maintain data security?		
<b>Governors and SLT</b>		
Is there a clear reporting line between the DPO and the <b><u>headteacher</u></b> ?		
How does the governing board have oversight of the DPO role and their role in ensuring compliance with the GDPR?		
Do governors know whether the DPO is checking that actions are working and are ensuring compliance?		
If the DPO is employed on a service level agreement or contract, is there a process in place to ensure all aspects of the contract are being carried out?		

<b>Data monitoring</b>		
Has a data map been created?		
Is there a data asset register in place?		
Are the data map and data asset register aligned?		
Have data protection impact assessments (DPIAs) been undertaken?		
Is there a process in place for recording the data the school collects?		
Does the process for recording the data the school collects include the identification of high-risk data?		
<b>Data collection and processing</b>		
<b>[For schools with less than 250 employees]</b> Have activities related to higher risk data been identified? Is there a record of these activities?		
Does the school have a legal basis for all of its processing activities and are these document, e.g. in privacy notices?		
Are data consent forms up-to-date and in place?		
Do data consent forms seek consent as a positive indicator?		
Are records kept to evidence how consent was given?		
Is there a process to ensure that pupils, families, staff and others new to the school are clear on the school's responsibilities		

regarding consent and data processing?		
Have privacy notices been updated to comply with the GDPR?		
Have privacy notices been issued to all relevant stakeholders?		
Are privacy notices written in a format accessible to the intended audience, e.g. pupils?		
Are CCTV and photographic recordings undertaken in line with GDPR compliant data protection principles?		
Are photographs published in line with GDPR compliant data protection principles?		
<b>Data access requests</b>		
Has the school made individuals aware that they have the right to submit a SARs, to verify their data is being processed lawfully?		
Where SARs are made electronically, is the information provided in a commonly used electronic format?		
Are all SARs fees based on the administrative cost of providing information, outlined in the GDPR?		
If an individual requests for their data to be deleted, where the individual's rights outweigh the basis for the processing, and the personal data has been made public on an online format, has the school a process in place to inform other organisations, who process the personal data, to erase links to and copies of the personal data in question?		