

Committee(s) Board of Governors of the City of London School for Girls	Dated: 6 December 2017
Subject: General Data Protection Regulation – Impact for the City of London School for Girls	Public
Report of: Ena Harrop, Headmistress	For Information

Summary

The General Data Protection Regulation (GDPR) comes into force in the UK on 25 May 2018. It will impose new obligations on the school both for its provision of education and for its alumni relations and fundraising activities.

The GDPR will require us to keep fuller records of the personal data that we hold on pupils, parent, alumni and donors and importantly now the legal basis under which we hold this information. This will require the School to gather and set out this information and will lead to a number of revisions to policies – Parent Contract, Privacy Notices, CCTV policy, IT use policy etc which we will be bringing back to the Board for approval early next year.

Recommendation(s)

- Members are asked to note the report.

Main Report

Background

1. While the GDPR regulation is an EU regulation, the UK government has confirmed that it will implement its provisions and tabled the enabling legislation in September this year. While the provisions of the regulation are very similar to the current Data Protection Act, they build on it and require a higher standard of evidence that data is held appropriately.
2. The principles of the GDPR are that personal data shall be:
 - a. Processed lawfully, fairly and transparently;
 - b. Collected for specified, explicit and legitimate purposes;
 - c. Adequate, relevant and limited;
 - d. Accurate and kept up to date;
 - e. Kept no longer than necessary;
 - f. Processed in a way that ensures confidentiality and security.
3. The School is likely to rely on one of the following reasons for processing personal data:
 - a. Consent from the data subject;
 - b. Performance of a contract to which the data subject is party

We are waiting on further clarification from the Information Commissioner's Office and the Comptroller. Where we rely on consent, we need to ensure that we are absolutely clear about what information is held, why and for how long. Consent has to be informed and explicit not implicit. Much of the work we need to do between now and the end of May relates to reviewing our current documentation to ensure that it is clear (even to children) and that our processes are appropriate, secure and lawful.

Current Position

4. We are currently gathering the information from across the school on the data that we hold about parents, pupils and alumni, where it is held and what it is used for. This will then be collated into a Record of Processing Activities (ROPA) which will list the information we hold, what it is used for, who it is shared with and under what legal basis it is held and processed. This work should be complete by Christmas.
5. The next step will be to work with Comptroller to finalise the ROPA and revise key documents including:
 - a. Privacy Notice
 - b. Parent Contract
 - c. CCTV Policy
 - d. Retention of Records
 - e. Use of images of children
 - f. Use of biometrics
6. The policies all need to be written in clear language that can be understood by pupils. This is because it is possible pupils of 13 and over will need to give their consent to some processing activities related to what the Regulation calls "information services" – it is assessed that homework platforms may be covered by this.

Proposals

7. Updated documents will be brought to the Board in February where possible but may need to be approved under urgency as the guidance from the Information Commissioner's Office is still being refined. We will need to have all the policies in place before the end of May so that we can communicate the changes to parents, pupils and alumni as soon after the Regulation comes into force as possible.

Corporate & Strategic Implications

8. The City Comptroller is leading the work on the GDPR for the Corporation as a whole. HR will lead on the work as it impacts staff across the corporation under guidance from the Comptroller and his team. The information officers are also supporting departments collating their information and our RAPO will feed into the larger Corporation master record.

Implications

9. A good portion of time of the Bursar and Deputy Head (Staff and Special Projects) will be taken up getting the School ready for the GDPR coming into force in May. There are a number of external organisations offering to help with this work but we do not anticipate that we will need external resources to assist us. We will need to run the revised Parent Contract back past both City Solicitors and Veale Wasborough Vizards (who drafted the original contract) to ensure we have made the necessary changes. This is likely to cost £2-£5k.

Conclusion

10. The School, supported by the Comptroller and his team, are in a good position to be ready for the introduction of GDPR. Revised policies will come back to the Board early next year to ensure that we remain compliant with the changed legislation.

Appendices

- None

Background Papers

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