



## Checklist: preparing for the GDPR

This checklist is designed to help governing boards prepare for the introduction of the General Data Protection Regulation (GDPR) on 25 May 2018.

The GDPR will affect the way that schools process people's personal data. Its overall aim is to make sure that people's sensitive data is kept safe and secure.

It's similar to the Data Protection Act (DPA) 1998 in many ways – most of the differences are where the GDPR builds on or strengthens the principles of the DPA.

If your school is compliant with the DPA now, you'll be compliant with much of the GDPR already.

However, governors have ultimate responsibility for data protection, so you need to make sure your school is ready.

**Please note:** this checklist is geared towards governing boards of standalone schools. If your school is part of a multi-academy trust (MAT), or you are on a MAT board, your trust's governance arrangements and delegation of responsibilities will determine how you use this checklist.

This checklist has been created with two of our education experts, Leon Ward and Brendan Hollyer.

*Leon Ward is an experienced charity trustee with expertise in board processes, recruitment, re-brands and mergers. He is also a columnist and public speaker on the topic of charity governance and trusteeship.*

*Brendan Hollyer is vice-chair of governors at a primary school and an all-through special school. He's a national leader of governance and has worked as the director of conversions and governance for a multi-academy trust.*

---

**Exclusive to The Key for School Governors. Stay informed, be prepared, make an impact.**

The Key for School Governors is the national information service that gives members instant answers to questions on all aspects of school governance. We offer high-quality, impartial information from authoritative sources, and a wealth of practical resources, including clear explanations of requirements, checklists, templates, and timely summaries of key changes.

To view the article explaining how to use this document, or to try the service, visit <https://schoolgovernors.thekeysupport.com>

© The Key Support Services Limited. For terms of use, visit <https://schoolgovernors.thekeysupport.com/static/terms-of-use>

## Checklist: preparing for the GDPR

You will find links to all the resources mentioned below in the article that accompanies this checklist – *'The General Data Protection Regulation: how governors can prepare'*.

Action	Completed?
<b>Make sure your governing board understands the changes</b>	
Circulate The Key's QuickRead overview of the GDPR.	Emailed to all governors on 17/4/18
Read the Information Commissioner's Office's '12 steps to prepare' document. This is operational in focus and geared towards organisations in general, rather than schools, but should give you an idea of what your senior leadership team (SLT) needs to be doing.	Emailed to all governors on 17/4/18
Add GDPR to an upcoming meeting agenda, if it's not there already.	Will be on L&M agenda on 22/05/18
<b>Ask your SLT for information</b>	
<p>Ask the most experienced person in data protection on the school staff to deliver a short data protection briefing in a full board meeting</p> <p>Ask for the briefing to cover:</p> <ul style="list-style-type: none"> <li>• What personal data your school keeps</li> <li>• How this data is kept safe</li> <li>• What is being done to prepare for the changes</li> </ul>	<p>As at 22/5/18, CP has created a PowerPoint which has been presented to staff and governors. This describes how we can keep data safe, how to find out about GDPR in more detail and what the school is doing to show compliance.</p> <p>CP will provide further feedback at FGB on 16/7/18.</p>
Someone on your SLT should be creating a data/information audit or map to meet GDPR requirements. Ask for a copy of this, and then use it to identify risks that the governing board should be aware of and monitor.	At L&M meeting on 22/5/18 governors were made aware of The Ruser Primary Data Map. CP offered to go through this with any governor in more detail if required. As there are a lot of ongoing actions as it is a living document, CP recommended leaving it until the autumn term for governors to then review it to identify risks.
Ask your SLT to complete the ICO's online self-assessment form and show you a copy of the results. Use this as a basis for discussion with the SLT about next steps.	As at 10/5/18 this is not done. CP to find out when the deadline is for completing this

<b>Add data protection to your risk register (if you have one)</b>	
Add the areas of risk to your risk register, assigning an owner to each item.	As at 22/5/18 – CP states this will be done as part of the Risk Assessment in the autumn term.
Work with school staff to add the steps you'll take to mitigate those risks.	As at 22/5/18 – CP states this will be done as part of the Risk Assessment in the autumn term.
Examine and update the risk register at every full governing board meeting.	As at 22/5/18 – CP states this will be done as part of the Risk Assessment in the autumn term.
<b>Scrutinise plans for the appointment of your data protection officer (DPO)</b>	
<p>When the headteacher proposes how they plan to appoint the school's DPO, discuss and approve or challenge the plans. Ask questions such as:</p> <ul style="list-style-type: none"> <li>• Why is this the best option?</li> <li>• What other options were considered?</li> <li>• Does this arrangement represent value for money?</li> <li>• How is this arrangement going to work in practice (regarding training, balancing and redistributing responsibilities, contractual issues, pay)</li> </ul>	<p>The DPO for Rusper was selected as the business manager for reasons which answer these questions:</p> <ul style="list-style-type: none"> <li>* Business manager job description carries roles that are most aligned with that of a DPO eg managing secure documents and compliance eg SCR, contracts, DBS; it also requires high level knowledge of work-place law. Thus the DPO role would be most easily assimilated with that of the business manager. In addition, the SBM has the most adept skill set for such a role.</li> <li>* No other options were considered as Rusper has merely five full time staff members – all other staff work less than 37 hrs pwk, thus options are ltd. All staff manage a higher than typical number of roles in their job.</li> <li>* It represents the only option</li> <li>* Training will be provided as required, at the lowest cost possible, to ensure compliance. There will be no redistributing of responsibilities as Rusper does not have the staff capacity; rather the role will just be assimilated. There has been no contractual issue to date, however an addition could be made to the SBM's job description. There has also been no governor agreement to raise pay for the DPO role. This could be addressed in the next cycle of staff appraisal, if there is budget capacity and governor support for such an action.</li> </ul>
<b>Plan how you will monitor GDPR compliance on an ongoing basis</b>	
Designate someone on the board as a data protection champion to keep up to date with data protection changes, meet with the DPO and add data protection to meeting agendas where necessary. (Whether or not you do this may depend on the size of your board and governors' existing responsibilities.)	RE has agreed to do this
Add a standing agenda item to full governing	Will be added to Annual Planner as agenda item at FGB

board meetings to scrutinise the risk register, if you have one.	meetings
Arrange how you will receive regular updates from the DPO.	Data Protection Champion (RE) with liaise regularly with CP. She will inform him of updates
Assign data protection as a responsibility to the relevant committee. In future, ask this committee to present to the full governing board on the effectiveness of your data protection procedures and IT controls.	This will be L&M Committee
<p>Devise some questions to be asked on your school visits about data protection.</p> <p>For pupils, these questions should cover how they learn about keeping information safe and the use of technology.</p> <p>For staff, questions should cover what training they receive, if they know what would count as a data protection breach, what procedures they should follow to keep personal information safe, and whether they understand how data protection fits with safeguarding.</p>	Governors will possibly carry out a monitoring visit in the autumn term 2018 and ask such questions

*This KeyDoc is featured in our article 'The General Data Protection Regulation: how governors can prepare'. To read the article, visit <https://schoolgovernors.thekeysupport.com> and enter the above title in the search box.*