

Key Elements of a School Privacy Policy

Who is the data controller?



You must provide information about **who** the data controller is and their **contact details**. Schools as an entity are data controllers, and should designate an official point of contact for data protection queries.

You must also provide contact information for your school's **Data Protection Officer**, if you have one.

What kind of personal data are you processing?



You must provide information on the **types of personal data** that you are processing, e.g. personal data about academic performance, health information, emergency contact information, etc. Be clear about all types of information you're collecting, particularly if it's information that people wouldn't necessarily expect you to be collecting.

Also, if you didn't get the personal data directly from the data subject themselves, you need to tell them where the data came from.

Why are you processing data?



You need to explain the **reasons** why you are processing personal data, and the **legal basis** you are relying on under Article 6 (and Article 9 where applicable) of the GDPR. You may be relying on more than one basis, so make sure to include them all.

If your school is relying on **legitimate interest**, you need to explain what exactly this legitimate interest is.

If your school is relying on consent as a legal basis for any processing activity, you must make it clear to parents/children that they can withdraw this consent at any time, and you must tell them how they can do this.

What about consent?



If your school is relying on consent as a legal basis for any processing activity, you must make it clear to parents/children that they can **withdraw this consent at any time**, and you must tell them **how** they can do this.

Consent should be as easy to withdraw as it was to give in the first place, so schools must ensure they have a mechanism in place for handling these requests.

Who will this data be shared with?

You must provide individuals with information about the **recipients** of any personal data you collect.

In other words, you have to clearly state if you will be disclosing this personal data to anyone, and if so, to whom? For example, another public authority, agency or other body.



Will this personal data be transferred outside the EEA?



You must inform individuals if their personal data is going to be transferred outside the EEA, either by your school or by any third party service providers your school might use.

You also must provide details on the safeguards being applied to protect this personal data.

How long will data be kept for?



You must inform individuals **how long** you are going to keep their data for, and importantly, **why**. Sometimes the reasons for this might be set out under other law to which schools are subject. It's important to be really clear about this and why you are keeping data for a specified period of time.

This information can be further explained in your school's Retention Schedule that should outline the different time periods for retaining different types of data.

What rights do data subjects have?



You must inform individuals of their data protection rights, e.g. their right of access, their right to rectification, their right to erasure, etc.

You must also explain how they can go about exercising these rights. For example, you can provide them with a contact name and email address where they can submit data protection requests. You could also provide a link to your school's Subject Access Request Policy, where applicable.

Are you profiling or making automated decisions?

You need to tell individuals if your school will be processing their personal data to profile them or make any automated decisions about them, and what impact this will have on them.

Processing is "automated" where it is carried out without human intervention and where it produces legal effects or significantly affects an individual.

Individuals have the right to not be subject to a decision based solely on automated processing.



Making a complaint to the DPC



You must inform individuals that they have a right to lodge a complaint with the Data Protection Commission if they have any concerns about how you are processing their personal data.

So consider adding the DPC's phone number and a link to our website in your privacy policy to make things easier for individuals.