The Exciting World Of GDPR

Term 1—2020/21

Welcome

Did you have a panic that you might not have anything to keep you motivated and excited over the Autumn break? Worried that Covid restrictions might limit your enjoyment? Well don't panic because we are here to save your break with our latest edition of

'The Exciting World of GDPR'

'The most excitement that you will get from a piece of paper'

Annoying Acronyms

Do you get confused with all of the acronyms associated with GDPR? If so then our basic guide may help you with some of that confusion.

GDPR = **General Data Protection Regulation** = is a legal framework that sets guidelines for the collection and processing of personal information from individuals who live in the European Union (EU).

DPO = **Data Protection Officer** = Companies and public bodies that process lots of data need to appoint an officer (DPO) to handle their GDPR activities and paperwork.

ICO = **The Information Commissioner's Office** = The ICO is a non-departmental public body which reports directly to the United Kingdom Parliament and is sponsored by the Department for Digital, Culture, Media and Sport (DCMS). It is the independent regulatory office (national data protection authority) dealing with the Data Protection Act 2018 and the General Data Protection Regulation

DPIA = **Data Protection Impact Assessment** = A structured review of a particular processing activity for a data protection compliance perspective.

Just Joking

GDPR can be very dry and not a matter to giggle over. We thought we would lighten the mood with a few GDPR cartoons

Digestible Documents

In this editions digestible documents we share with you the worry and confusion still around GDPR

The information watchdog dealt with hundreds of unnecessary referrals relating to schools in the year after tough new data protection rules were introduced.

Of 1,385 school cases handled by the Information Commissioner's Office (ICO) in the first year of the general data protection regulations (GDPR), just 208 (15 per cent) resulted in orders to take action.

It does reflect a misunderstanding of what the GDPR actually means for schools

It follows reports last year of a surge in the number of data security incidents reported by the education sector in the wake of the changes.

The rules, which came into effect in May, require schools to be clearer about the data they hold and respond more quickly to requests for copies of personal data. They must also appoint a data protection officer to supervise the way data is handled.

The introduction of the GDPR was marred by accusations that the Department for Education failed to prepare schools for change. Data obtained by *Schools Week* under the freedom of information act suggests they are still struggling to interpret their role.

Almost half the ICO's GDPR school cases were self-reported, while the rest came from third parties. Of the 665 self-referrals from schools, about 80 per cent required no action.

"It does reflect a misunderstanding of what the GDPR actually means for schools," said Mark Orchison, the managing director of 9ine Consulting, who believes the number of reports to the ICO will increase.

"It may be that the schools that are self-reporting just don't understand what they're doing," he said, as he called for more schools to "upskill" their staff.

"If you don't know whether it's a breach, you're likely to report it because you don't want to get told off. But until you upskill the profession to understand the difference between a breach and a near-miss, you're going to continue to see a high level of reporting of potential breaches."

However, he said it was better to be safe than sorry. "It means schools are actively trying to protect the data they have."

What schools were investigated for

SUSPECTED BREACH	SCHOOL SELF-REFERRALS	COMPLAINTS
DISCLOSURE OF DATA	370	152
SUBJECT ACCESS	0	397
SECURITY	289	49
OTHER	6	122
TOTAL	**665**	**720**

What schools were told to do

CASE OUTCOME	SCHOOL SELF-REFERRALS	COMPLAINTS
NO ACTION	534	207
ACTION REQUIRED	130	78
REFERRED BACK TO SCHOOL*	0	228
ADVICE GIVEN (NO BREACH)	0	184
NOT RELEVANT	1	23
TOTAL	**665**	**720**

* *Includes complaints that should have gone to the school in the first place*

Of the schools cases handled by the ICO in the first year of the GDPR, 38 per cent related to disclosures of data, 29 per cent to subject access requests and 24 per cent to data security.

The handling of subject access requests was the biggest reason for complaints by third parties, followed by disclosure and then security. Whereas disclosure was the biggest reason for school self-referrals, followed by security.

The prevalence of complaints relating to subject access requests (SAR) – which give anyone the right to request all the information an organisation holds on them – has prompted warnings that they could be used for the wrong reasons.

"The high number demonstrates that people are seeking to use this as a way to get schools to act in the interest of the individual, whether or not a SAR is the right mechanism to use," Orchison said.

Some institutions were the subject of multiple referrals. For example, the ICO dealt with five cases relating to the Aspire Academy Trust in Cornwall. Only one referral resulted in the trust being told to take action.

Aspire said all five cases related to a complaint from one member of staff and that there had been no data security breaches.

"As a trust, we have taken the new regulations extremely seriously," said a spokesperson.

"We reviewed policies, updated systems and initiated regular training sessions well before the regulations came into force.

Overall, 82 per cent of cases handled by the watchdog in the first year of the GDPR from all sectors required no action.

Elizabeth Denham, the information commissioner, said in a blog that although the data showed organisations were "taking the requirements of the GDPR seriously", she accepted that it "remains a challenge for organisations and data protection officers to assess and report breaches within the statutory timescales".

Quick Quiz

How is your GDPR knowledge? Why not see if it is as good as you think it is by a go at our quick GDPR quiz. Five very quick questions to see if you are as clued up as you think that you might be. Even if you get them all wrong then it's a chance to have brush up and get a few key GDPR facts clear in your mind.

To access the quiz click on the link below

https://www.highspeedtraining.co.uk/hub/gdpr-quiz/

RIT Reporting

How GDPR safe are we as a Trust?

Each year we produce a GDPR report to our Trustees to show our key GDPR activity over the previous year. During the academic year 2019/20 these are the key facts from across the Rivermead Inclusive Trust.

During the academic year we have had 14 data breaches across the Trust. The spread of these was:

Location	Number of Breaches
Rivermead	2
Hoo	1
Marlborough Centre	3
Walderslade	1
Triple R	1
Sixth form	4
Trust Main	1
ROCC	1

None of these were serious and all were dealt with immediately and effectively in line with our policies and procedures.

During the academic year we have had 6 subject access requests across the Trust. The spread of these was:

Location	Number of Breaches
Rivermead	3
Hoo	1
Marlborough Centre	1
Walderslade	
Triple R	1
Sixth form	
Trust Main	
ROCC	

.A final word

We hope that you have found the GDPR newsletter useful during this term and if you have any GDPR questions then please do either e-mail me on dadsp001@rivermeadinclusivetrust.org or ask your school GDPR lead.

Thank you for keeping GDPR safe and remember to look after your data and that of other people.