



The training session is due to start at **10:30am**

Information Governance Team (Children's Services)
Schools.DPO@eastsussex.gov.uk or **01273 337610**



**Information
Governance Team**
Children's Services
East Sussex County Council

Ben Baker

Information Governance Officer Children's Services



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Key questions

1. What is the GDPR?

2. What does DP mean for you?

- Data breaches
- Consent
- Access to data
- Remote working



3. Q&A

You can ask any questions in the **chat**



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What is the GDPR?



- Technology has changed
- Greater risks to information
- New law introduced to protect data



**UK GDPR
post-Brexit**



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What has changed?



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Only personal data

Remember!



Some **special categories** of data requires extra protection (e.g. **medical, SEND, race/ethnicity/religion**).



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Only personal data



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Lawful basis for processing

To process data organisations must have a valid **reason**.

1. Consent
2. Contract (e.g. staff data)
3. Legal obligation (e.g. complying with Health and Social Care Act 2012)
4. Vital interests
5. Public interest (e.g. provision of services by a public body)
6. Legitimate interests



Processing **special category data** needs an additional basis.



Why is it important to get DP right?



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2. What does it mean for you?

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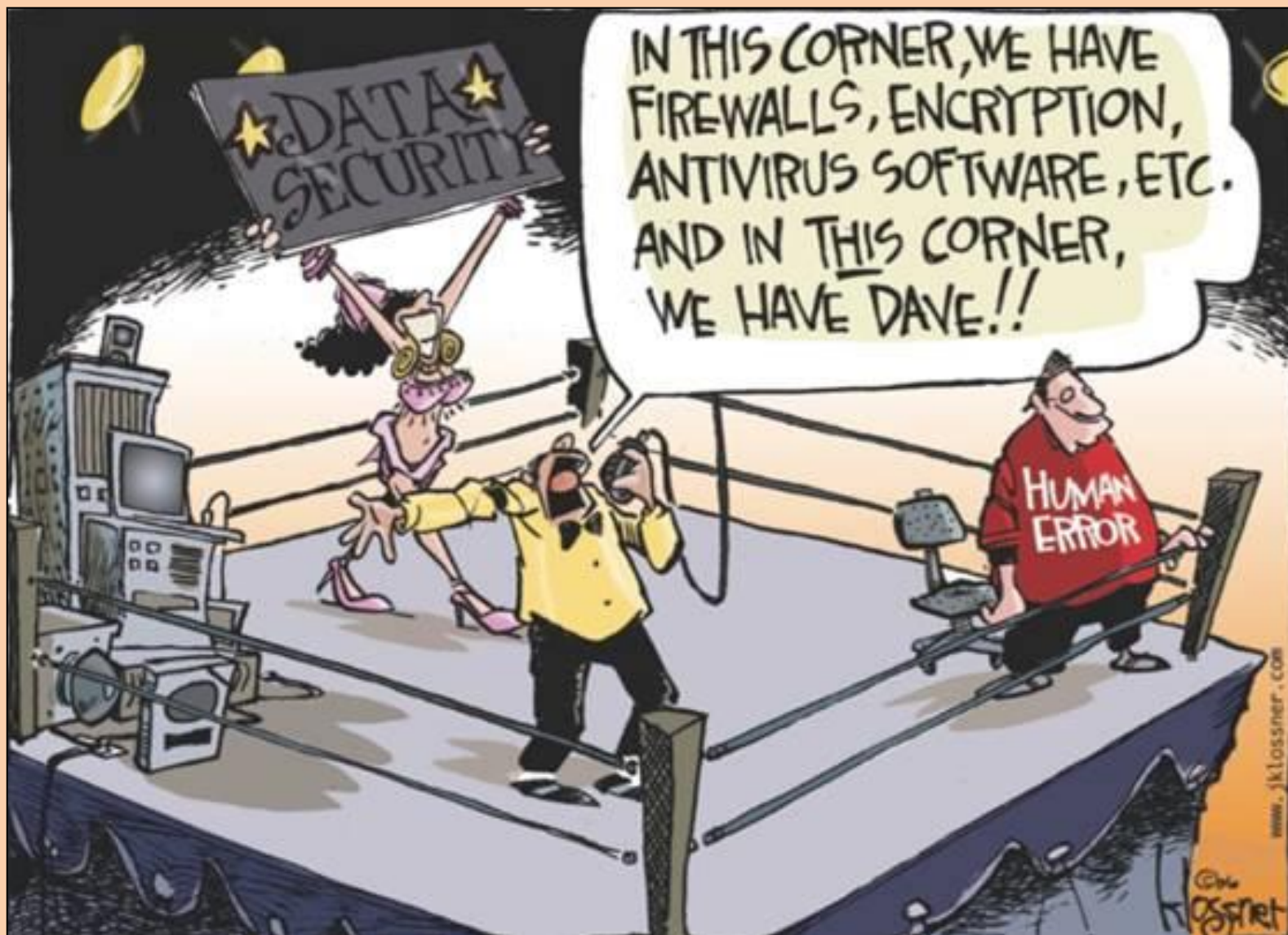


3. Q&A

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Your responsibilities for data

The GDPR states organisations need “**appropriate technical and organisational measures**” to keep data safe.

Technical measures:

- Store hard copy records securely
- Keep electronic data secure by changing passwords regularly.
- Use encrypted USB sticks or secure email when transferring personal data.



Organisational measures:

- Ensure DP policies and procedures are up-to-date in line with GDPR (and that they are being followed).
- Ensure all staff have received training regarding DP.



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Ticketmaster data breach: Thousands of customers may be affected

Personal data and payment information may have been sent to an unknown third party via malicious software

NEWS

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Technology

NHS data breach affects 150,000 in England

© 7 July 2015



Until recently, GPs had to record whether patients wanted research and planning

The NHS is blaming a coding error for 150,000 people involved in a data breach.

British Airways: 185,000 more passengers may have had details stolen

Airline says customers affected by data breach will be contacted by Friday, as investigation continues



British Airways has not received any verified reports of fraud. Photograph: cressandra/Getty Images

British Airways has revealed that another 185,000 customers may have had personal details stolen in a data breach.

NEWS

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Business

Your Money Market Data Companies Economy

Dixons Carphone admits huge data breach

13 June 2018

f Share



each involving 5.9 million records.

in July last year.

y of the cards had been used

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NEWS

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British Airways faces record £183m fine for data breach

The airline is contesting the penalty, imposed after hackers breached its IT systems last year.

🕒 14m | [Business](#)

- BA boss apologises for data breach
- How did hackers get into British Airways?



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Hundreds of tax forms with salary details w
wrong council employees in a serious data b

Social worker agrees three-year caution after data protection breach

Agency practitioner admits that fitness to practise was impaired after being found to have emailed confidential documents

Other breaches include:

- An educational psychologist's report sent to the wrong address
- A worker losing a notebook containing someone's information
- A fostering agency sent information about a child they were not caring for
- Letters about care cases sent to the wrong recipients
- A report sent to the wrong solicitor by email
- Nine incidents of correspondence relating to housing benefit or council tax being sent with the correct data to the wrong people
- A resident's data shared with her landlord without her permission

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Getting struck
by a lightning



1 in 960.000

Dating a
millionaire



1 in 220

Experiencing a
data breach



1 in 4

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What is a data breach?

A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.

- Can be accidental or deliberate.



Basically, sharing/using someone's data when you shouldn't!

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Breaches are increasingly common!

- Sent to incorrect recipient (Auto-fill)
- Email addresses shared (CC not BCC)
- Hard copy data lost (e.g. left on printer)



270
and counting...

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Breach or not?

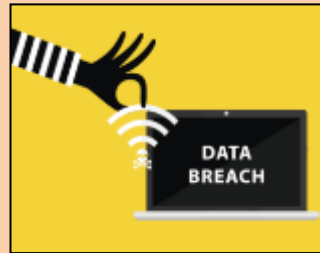
Can you decide which of these are data breaches and which are not?
Which data breaches do you think are more serious? Why?

1. NHS patient complaint file sent to the wrong address

2. Unauthorised access to a staff email account.

3. Lost staff bag containing promotional material for ESCV.

4. Confidential patient information left on a communal printer in the office



5. ESCV newsletter CCed to the mailing list for all your organisation contacts

6. ESCV laptop left on the front seat of a locked car overnight

7. Encrypted memory stick lost


8. Unencrypted memory stick lost

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Breach or not?

Breach	Not a breach
2. Unauthorised access to staff email account	6. Laptop left on the front seat of a locked car overnight
4. Patient information left on communal printer in the office.	3. Lost bag containing ESCV promotional material
5. Newsletter CCed to a mailing list for all organisation contacts	
8. Unencrypted memory stick lost	
7. Encrypted memory stick lost	
1. Patient's complaint file sent to the wrong address	

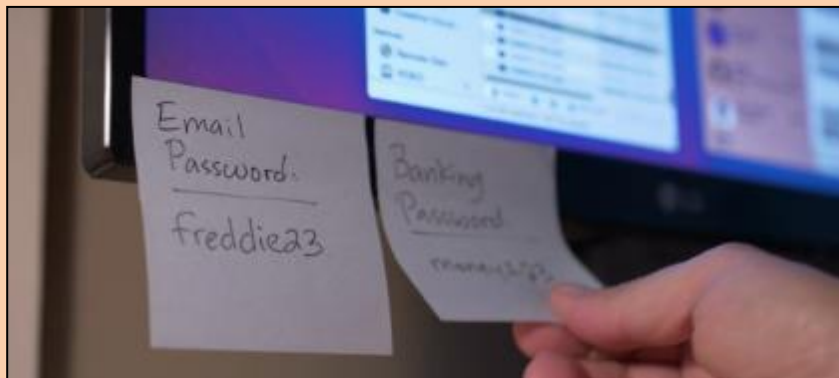
Which breaches are the most serious? Why?

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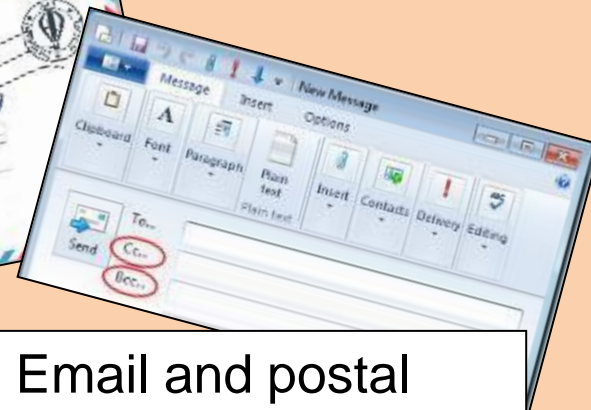
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Can you spot the risks?



Passwords not kept confidential or changed regularly

Laptops or portable USB drives not kept securely



Email and postal addresses entered incorrectly.



Hard copy data not kept securely

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What to do if a breach happens?

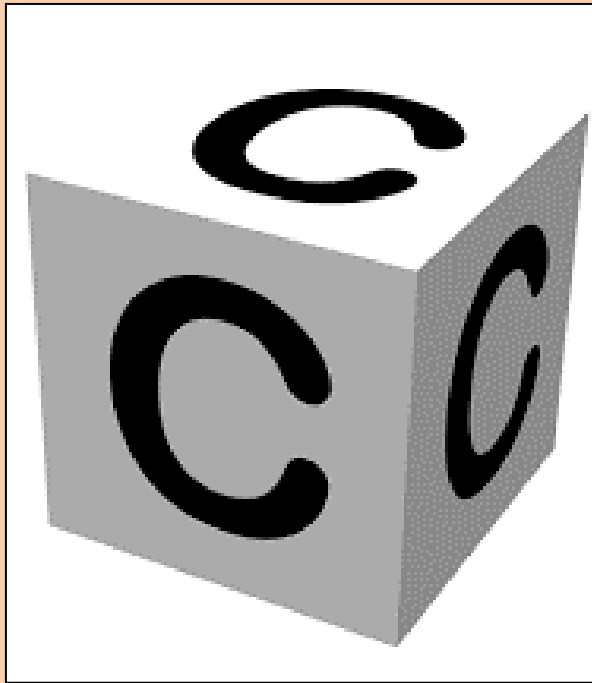


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Remember the 3 C's



- **C**ontact
- **C**ontain
- **C**ommunicate

Ensure you know the ESCV **process**

- **What** and **how** to report and to **whom**



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Speed is of the essence!



If in doubt always report it!

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Key questions

✓ What is the GDPR?

2. What does it mean for you?

✓ Data breaches

- Consent
- Access to data
- Remote working



3. Q&A

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Consent

Consent is important under GDPR **but** only if you do not have another lawful basis for processing.



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What is valid consent?

Consent **must** be...

- Informed
- Freely given
- Specific/granular
- Withdrawable

Keep in touch with us
Please tick the boxes below to tell us all the ways you would prefer to hear from us:

- ☐ Yes please, I would like to receive communications by email
- ☐ Yes please, I would like to receive communications by telephone
- ☐ Yes please, I would like to receive communications by mobile (text message)
- ☐ No thank you, I do not wish to be contacted by post

Communication preferences
Yes! I would like to receive updates about products & services, promotions, special offers, news & events from Woolworths Online via

- ☐ SMS
- ☐ Email
- ☒ Samples - Yes I would like to receive FREE Samples from time to time.

[Privacy](#) | [T&Cs](#) | [Collection Notice](#) | [Business Orders](#) [Sign up](#)



As an organisation, you must be able to demonstrate consent

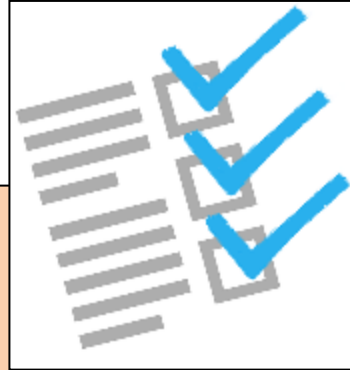
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What is *granular* consent?

- Consent under GDPR must be opt-in as well as **granular**.
- Consent needed for **each way** data will be processed.
- This is in addition to the information on your privacy notice.



Non granular

Please tick below if you give **permission** for us to contact you for marketing purposes.

- ☐ I **give** permission for you to contact me for marketing purposes.

Granular

Please tick the boxes below to tell us all the ways we have **permission** to contact you for marketing purposes in the future.

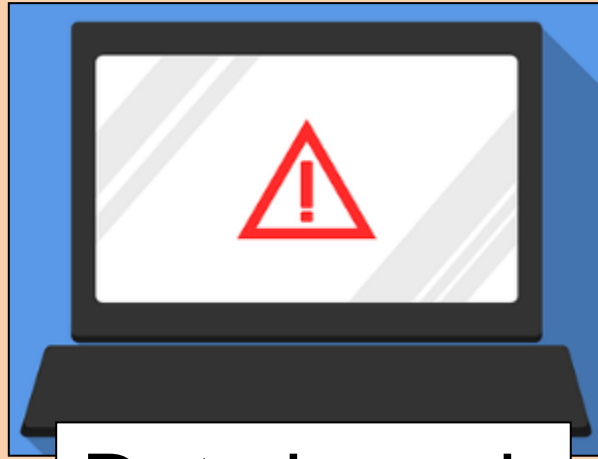
- ☐ I **give** permission for you to contact me by email.
☐ I **give** permission for you to contact me by post.
☐ I **give** permission for you to contact me by text.
☐ I **give** permission for you to contact me by phone

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What can happen if you don't have consent?



Data breach



Complaint



Individuals
at risk

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Why is it important to get this right?

Blog: Don't get caught out when it comes to pupil photos

A blog by Andrew Laing, ICO Head of Data Protection Complaints

We've issued two reprimands, which are legal warnings, recently to schools for wrongly disclosing the personal data of children.

In the first case a class photograph, sent to a local newspaper by a [Cheshire primary school](#), included the images of two pupils whose adoptive parents had refused consent for their children's images to be shared.

The [second reprimand](#), issued to a [Humberside primary school](#), followed a class photograph being taken and sent home to parents. The photo included the image of a child whose adoptive parent had previously signed consent forms clearly stating that no photographs of her daughter were to be used outside of the school.



30+ breaches in
our DPO schools

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2. What does it mean for you?

✓ Data breaches

✓ Consent

- Access to data
- Remote working



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"Before I write my name on the board, I'll need to know how you're planning to use that data."

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What are Data Subject Rights?

Under GDPR, data subjects (anyone ESCV holds information about) have an increased range of rights which you, as a **data controller**, must adhere to.

These rights include:

- Right to be **informed** (Privacy notice)
- Right of **access**
- Right to **rectification**
- Right to **erasure**
- Right to **object**

Remember a data controller is anyone who collects and processes data.



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Communicating these rights – Privacy notice

- Organisations must tell people how and why they use data.
- This must be through a Privacy Notice (PN).

- **What** information is collected
- The **lawful basis** for processing it
- How it will be collected and **stored** securely
- Whether **information will be shared** with anyone else and **why**
- How **long** the data is stored for and how it is **destroyed**
- Individual's **rights** regarding collection, processing and access



[Privacy Policy | East Sussex Community Voice \(escv.org.uk\)](#)

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What are Subject Access Requests (SARs)?

Individuals have a right to access their data.



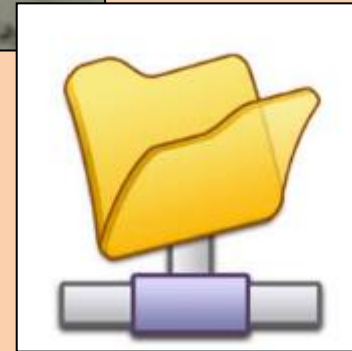
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SARs are increasingly common

- Can be complex and time-consuming
- **1 month** deadline
- All organisation data could be releasable



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Why can SARs be a problem?

SARs can be time consuming as:

- Data could be held in **multiple places**
- Data about different people could be **mixed** together.
- **Large volumes** of data could be held

In certain cases they can be deemed a “**complex**” request.
This can extend the deadline.



Check with your DPO
if you're unsure.



Everyone should be aware of SARs

- Do not have to be made in writing
- Do not have to refer to the GDPR or DPA
- Can be made on behalf of others
 - e.g. parents, solicitors – must verify ID.



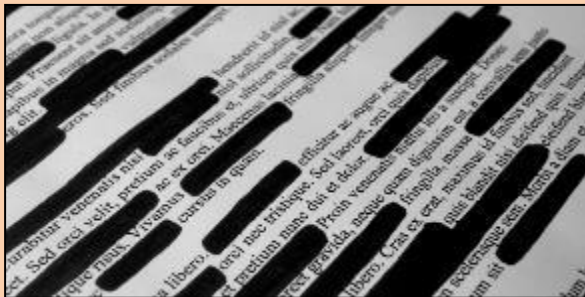
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What data is a requestor entitled to?

- Only entitled to **their** personal data
- Not data about others (third parties)
- Documents may need **'redacting'**



Guidance
available



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New ways of remote working

- **Benefits** but also additional **risks**
- Be aware of data being processed



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Video conferencing

- Choose your platform carefully
- Beware of sharing emails through invites
- Test your tech



Updated guidance [available](#)

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Remote working top tips

- Ensure you are familiar with ESCV policies
 - E.g. DP, DiT, AUP etc
- Consider where you save/store personal data
- Use work devices/accounts where provided.
- Consider security of data during transfer (e.g. when emailing etc)

Remote working =
Increased risk of
data breaches



Key questions

- ✓ **What is the GDPR?**
- ✓ **What does it mean for schools?**
 - ✓ Data breaches
 - ✓ Consent and images
 - ✓ Access to data
 - ✓ Remote learning and videos



3. Q&A

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To find out more...

Guidance online:

- [Breaches](#)
- [Consent](#) and [images](#)
- [SARs](#)
- [Data in Transit](#) and remote learning
- [Glossary](#)



webshop

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Who Ya Gonna Call?

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Don't forget our team are here to help!



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