

# The Role of the Data Protection Officer (DPO) : A Guide for Parents / Guardians



The General Data Protection Regulation (GDPR) which came into effect on the 25th May 2018 and the UK GDPR (Post EU 2021) requires schools to appoint a Data Protection Officer (DPO). Schools can decide to appoint this person internally, share one with another school(s) or (as in the case of your child's school) contract the role and responsibilities to a third party provider. Illuminate Education Services UK Ltd has been contracted to provide the DPO services for your child's school.

This information sheet has been written to help you understand the scope of the role, the extent of the authority attributed to the role and to answer some of the questions you may have. So, what are the key duties and the responsibilities of the DPO ? There are seven main duties. These are :

1. To ensure compliance with the requirements of the GDPR
2. To advise school staff, managers, trustees and governors in relation to the GDP
3. Monitoring compliance with the GDPR
4. Assisting the school with carrying out any data protection impact assessment and audits
5. Co-operating with the supervisory authority (Information Commissioner) and acting as a contact point for parents, inspectors and agencies
6. Take a risk-based approach to data protection and advise on practice and policy
7. Be the lead contact for all data protection queries with regard to potential complaints and breaches, ensuring that requests for information are properly handled

So, what does that all mean that the DPO is required to do ?

- Production of key policies and procedures
- Annually audit the compliance with policies and procedures
- Develop and implement a training programme for ALL staff (including admin staff, teachers, caterers, governors / trustees etc)
- Document where all data is originated from, where it is held and who it is shared with
- A data audit to map data flows is created and shared accordingly
- Undertake Data Protection Impact Assessments
- Prepare simple documentation for parents and other key stakeholders, which outlines the requirements of the GDPR and their associated rights
- Ensures that consent is always gained for a 'reliable, relevant and legally appropriate' source for all data
- Manages the process for detecting, reporting and investigating data breaches
- Notify individuals whose data has been breached and where it is likely to result in a high risk to their rights and freedoms

## Frequently Asked Questions ...

Question	Response
When I Contact The DPO How Long Do They Have To Reply ?	The GDPR requires schools to respond within one calendar month of receiving a data related request. So, that is from the day in which the school receives the formal request from you.
Can I Contact The DPO Directly ?	Yes, of course. Contact details are provided at the end of this sheet. However, it will be usual that you will be asked to put any pertinent comments or information in writing. This is to ensure that information is accurate and appropriate.
Can The DPO Insist That The School Does Something ?	No. The DPO can't make the school do anything it doesn't want to. The DPO's role is to advise the school and make recommendations to managers and governors.
Why Is My Child's School Using An External Agency To Provide These Services ?	The DPO role is a large and significant role. Many schools do not have the capacity to undertake the requirements. Additionally, many schools believe that an independent DPO provides unbiased and impartial advice and guidance.

What Happens When I Make A Formal Request To View Documents Or Have A Document / Data Amended ?	The DPO will receive your formal request from the school. They will then forward this to the DPO who will undertake a fact-finding exercise and advise the school as to an appropriate response. You will then receive a formal written response which outlines the decision and the reason for that decision. It also identifies the next steps to be taken and any rights you may have.
How Will The DPO Communicate With Me ?	The DPO will usually communicate using the method you initially contact him with. This will, however, always be in a written form. Where we choose to use Royal Mail to communicate formally with any relevant party, these will always be sent by 1st Class Signed-for post.
I Don't Want The School To See What I Have Said, Can This Be Done ?	No. All requests and information received by the DPO will be shared with relevant staff in the school – and always with the Headteacher / Principal. All documentation is scanned and uploaded to a secure server which is accessible by both the school and the DPO. Access is limited to a small number of staff and is protected by security protocols.
Who Can Request To See Any Records Held By The School ?	Only those with legal parental responsibility can request to view / amend data held. It's important to note that parental responsibility can only be removed by a court. Even if parents separate and have concerns about each other, they cannot refuse to allow their 'ex' to have any information or access - UNLESS this has been removed by the court.
What If Those With Parental Responsibility Disagree About An Amendment ?	The law states that the parent whose address the child is usually resident at (domicile) has the final decision. So, if parents have split up and live separately, the parent which the child lives for the majority of the time has the final say.
What Is The Scope Of The Term 'Data' In A School ?	The data held by schools is significant – from personal details to health to academic to special needs. It's important to remember that schools only maintain data that they need to (a) make sure your child is safe and secure in school and (b) that they are making good progress.
Does The School Have To Accept Any Request To View Or Amend Data They Hold ?	No it doesn't. The DPO will coordinate the requests and work with the school to agree an appropriate response. There are three possible outcomes to a request : (a) Yes – happy to agree to it (b) No – will not accede to the request and (c) Requires more information before making a decision. Where we refuse or ask for more information, you will be given a reason why AND advice on the next steps.
If A Data Amendment Is Accepted How Will We Know That It Has Been Undertaken ?	Once a request to amend data has been accepted you will be written to, to confirm that it has been undertaken.
Will I Be Charged For This Service ?	In general – no. For most requests we will not make a charge. However, the GDPR does allow us to make a charge where requests are vexatious, excessive, frequent or without basis.
What If I Request To View Data That The School Does Not Actually Hold ?	The DPO will notify you of any request that has no basis. For example, if a parent believes that the school holds information on them personally, but the DPO confirms that no such information is held, then they will notify you of that fact.

### Contact Details ...

You can contact the DPO in two ways :

By e-mail at : [CBellis01@theharmonytrust.org](mailto:CBellis01@theharmonytrust.org) or By telephone : 0845 8621967

Please note that as a small company the office is not always staffed. However, if you leave a message on the dedicated answer-phone we will endeavour to get back to you with 48 hours.

You can also contact the Information Commissioner at :

The Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or via : [www.ico.org.uk](http://www.ico.org.uk)

### Data Management ...

Documents, e-mails and any other correspondence associated with any data issue will be held on a secure 'cloud based' server that is accessible to Illuminate Education services UK Ltd and the relevant school. The original documents will be scanned and held digitally securely by Illuminate Education Services UK Ltd for three years OR until the contract with the school is ended (whichever is the soonest). After this time has elapsed, digital versions will be deleted securely. Once scanned, originals will be securely destroyed.