

Data Protection Officer role in Schools: An Update

Most of you will now be aware of the statutory requirement under the new General Data Protection Regulations (from May) for public authorities to have a Data Protection Officer (DPO); Schools and Academies will need to have someone in this role.

We know that some schools have started to look at this as they have contacted Solihull MBC teams. Some Collaboratives have come up with the idea of having a single DPO for all the schools in their collaborative, however, I am concerned that this would not fulfil the requirement from a capacity perspective. The DPO needs to be available to attend SLT/Governors meetings, to be able to be involved in the day to day in order for advice about processing of personal information to be provided, plus they are the main contact for all data protection enquiries from Parents, staff and also the Information Commissioners' Office. There is no reason why this solution would not work for a smaller group of schools (dependant on size and structure) but in a Collaborative there are 10-25 schools including some larger secondary schools; the DPO needs to be readily available for each School and could be 'spread too thin' across that many.

We have now had more time to consider a solution to this for schools and would like to suggest another potential option for meeting this requirement, in addition to those suggested on page 3 of the guidance already provided:

Solution	Details	Benefits	Disadvantages
Each School identify an existing Governor or a new governor to act as DPO	<ul style="list-style-type: none"> Co-opted Governor role allows for the existence of Governor based on a skills requirement Governor to fulfil specific duties set out in a role profile Governing boards are already a school's 'critical friend' and ensure school's meet their statutory responsibilities. 	<ul style="list-style-type: none"> Already in a position to set the 'culture' of the school Already have a requirement for attending training and CPD Already act for both the school and parents and pupils A precedent is set as already have governors with leadership responsibility for other statutory requirements such as Safeguarding and SEND Very little financial cost to the school as not a salaried position My role, Assistant Records Manager (Schools), could extend the current service already provided to include training specific to the DPO role and provide day to day support as needed 	<ul style="list-style-type: none"> May be difficult to locate a suitable DPO who is happy to work as a volunteer The volume of work/involvement is unknown at this stage and may conflict with guidelines on time committed as a Governor

As with all solutions there are some potential issues with a Governor performing this role, but I think it is important to provide schools with another option, particularly one with less of a financial commitment. The Schools HR team are planning to put together a Role Profile for this to help Schools. As with many aspects of the General Data Protection Regulations there will be a need to review measures put in place as we learn more about how the regulations work in practice. The Governor DPO role idea could be the way forward for many schools, but at worst it could be a good temporary measure until we all know more about how the regulations work day-to-day.

If your School has already decided on or is working on a different approach, please would you share this with us.