

Data Protection Officer in Schools and Academies

Some of the feedback we have been receiving about the Data Protection Officer role suggests that there is a certain amount of misunderstanding and concern about the role.

Common Myths:

- [The DPO is personally liable and accountable for Data Protection compliance](#)
FALSE: GDPR states the DPO operates independently and is not dismissed or penalised for performing their role. Responsibility for compliance sits with the School and the Governing body as a whole.
- [The DPO needs to be an expert in Data Protection](#)
FALSE: GDPR does not specify any credentials for the DPO and states they should have professional experience and knowledge proportionate to the processing carried out. A school's DPO can seek advice and support from the Information Governance team at Solihull MBC.
- [The DPO will have 'mountains' of work to do](#)
FALSE: Guidance, training and template documents have already been provided to Schools with more on the way. Data Protection based tasks can be shared amongst all Staff not just the DPO.
- [The Information Governance team at Solihull MBC do not want to be our DPO](#)
FALSE: The team already support schools with Data Protection alongside Records Management and Freedom of Information through an enquiry service plus guidance and template documents. The DPO role requires more than an advice line, it needs 'eye and ears' in the school, for example regular attendance at decision making meetings, thus ensuring awareness of issues or new processes is at an early stage; advice can then be sought from the team.

Proposal:

- Don't panic – Solihull Schools are already good at Data Protection.
- Put in place a member of staff or a governor to be the DPO.
- The Information Governance team at Solihull MBC will continue to support Schools and the DPO can build upon their knowledge and experience.
- Put a solution in place that works for your school and review in 12 months; what you put in place now does not need to be your long term / permanent solution.

Looking to the future:

- The DPO is just one part of GDPR compliance.
- If a number of schools share a DPO, such as an entire collaborative, be careful that they have sufficient capacity to be able to be involved enough at each school.
- The Information Governance team at Solihull MBC have not ruled out the provision of a DPO service in the future and will continue to review our capacity and position.

Please read this Myth busting document alongside the 09DataProtectionOfficer guidance and the Addendum issued via 'Headlines' on Monday 22nd January.