

DATA PROTECTION POLICY APPENDIX 3

CONSENT

Before sharing any personal data, the school will usually need consent from the individual. There may be some circumstances where it may not be appropriate to ask for consent, however. For example:

- if the individual cannot give consent;
- it's not reasonable to ask for consent;
- when there's a safeguarding concern.

Student consent is usually needed to share their data if they're aged 13 or over. If they're under 13, consent must be obtained from whomever holds parental responsibility for the child.

How to get consent

Consent can be obtained in different ways. It must be clear that the individual agrees to share their personal data and understands what they're agreeing to. We must not use pre-ticked boxes or add disclaimers that by not responding they are agreeing to share their data.

The school will keep a record of:

- the consent
- when the consent was obtained
- how the consent was obtained – for example, keeping the letter sent to parents or carers

When getting consent, the following must be explained:

- what personal information is being shared
- why the information is being shared
- who the information is being shared it with and what they'll use it for
- how the information will be shared
- the process for withdrawing consent

Any letters sent to parents or carers that ask for a reply slip that includes personal data should have a data protection statement. This could mean linking to a privacy notice or including information within the letter.

If the school is asking for consent from a pupil aged 13 or over, the request must be written so they can understand it and are clear about what they're agreeing to.