



Third parties and the Data Controller (School)

The Data Controller is responsible for ensuring that correct protocols and agreements are in place to ensure that personal data is processed by all sub contractors and other third parties in line with the principles of the GDPR.

Individuals within school who have a responsibility for securing contracts and agreements with such third parties are responsible for ensuring that all external data processing is contracted out in line with the GDPR principles. This will include:-

IT contracts and processes

Physical data and hard copy documents

Data destruction and hardware renewal and recycling

Financial and personnel information

Pupil and staff records

Only suppliers that can confirm they have appropriate technical, physical and organisational security to securely process data will be considered as suitable partners.

The procurement process will ensure that all contracts are suitable and reflect GDPR requirements. Review of current and due consideration of future contracts will require this even if data processing is ancillary to the main purpose of the contract.

The external processor will confirm with the data controller that suitable security and operational measures are in place.

Any potential supplier or purchaser outside the EU will be obliged to confirm how they comply with the GDPR and give contractual assurances.

The Data Protection Compliance Manager may require a specific risk assessment to be undertaken if the data is sensitive and if an increased risk is likely due to the nature, or proposed nature, of the processing.

A written agreement will be in place between the supplier and the school to confirm compliance with the GDPR principles and obligations to assist the school in the event of data breach or subject access request, or enquiries from the ICO.

The school must have the right to conduct audits or have information about audits that have taken place in respect of the relevant processes of the supplier's security arrangements whilst the contract is in place, or whilst the supplier continues to have personal data that relates to the contract on its systems.

Any subcontracting must only be done with the written consent of the school as data controller. This must be the case for any further subcontracting down the chain. All subcontractors must confirm agreement to be bound by GDPR principles when handling the school's data, which shall also include co-operation and eventual secure destruction or return of data.