

Classlist Procedure for Inviting, Registering and Validating Members

Detailed Note on Data Protection Compliance

This note describes the legal basis on which users are invited, registered and validated as Members on the Classlist platform. It has been prepared principally for schools and PTAs. It describes the situation where either the School or PTA is acting as Data Controller; Classlist is acting as Data Processor, and there is a documented Controller – Processor Agreement to this effect between the parties. It also covers those rare cases where Classlist acts by itself as Data Controller with no involvement from the School or PTA. This note is designed to be read in conjunction with the attached Classlist Invitation, Registration and Validation Flow Chart.

More information on how the Classlist platform operates, along with Classlist's Privacy Notice, Terms & Conditions for Members, and Data Protection Agreement, are available at www.classlist.com.

1 Initial Email Invitation

- 1.1 It is lawful for the PTA, as a Data Controller using a set of parent email addresses for communication purposes, to make a service upgrade and switch its regular email communications with parents to use Classlist as its new Data Processor. This change of processor must be noted in regular communications with parents two weeks in advance, and a notice placed on the PTA website. The following text can be used:

[name of PTA] is introducing a new system called Classlist to enable parents to communicate easily with each other. Classlist's system offers high levels of security and privacy, and is designed to comply fully with new data protection regulations. You will shortly receive an email invitation, and can then decide whether to join and what data you would like to share. If you don't wish to receive this invitation please let us know within 10 days of receipt of this notice. More information is available at www.classlist.com including the Privacy Notice, which explains how personal information is managed and protected. You can also join your school's Classlist immediately here.

Please be aware that for reasons of convenience and security we will also be switching to Classlist's email system as our main way of contacting you about matters relating to the parent community. This is technical change and will not otherwise affect how we use your personal data. It will apply to all parents including those who decide not to join Classlist.

- 1.2 This service upgrade falls within a user's reasonable expectations; allows any user to raise concerns; and does not require consent. Parents can then be invited through this system to join the full Classlist site, where they will be asked to upload their own data and to give specific consent to share this with others. Unless parents give consent they remain as Non-Members and will not receive any advertisements. Classlist Ambassadors and Class Reps manage the Classlist site as part of their PTA duties. During their appointment they are specifically notified about their responsibilities in this regard - which they have agreed when signing Classlist's standard T&Cs. Classlist also provides online training in data compliance should this be required.
- 1.3 For this approach to be lawful the PTA must be properly constituted as a legal entity or person which can act as a Data Controller, which we expect the majority to do. Classlist can assist in ensuring that this requirement is satisfied but please note that it is the responsibility of the PTA and the person who agrees the Data Protection Agreement on behalf of the PTA to ensure that the PTA is a Data Controller in respect of the processing.
- 1.4 The PTA must ensure that all personal data which is processed through the Classlist platform has been obtained lawfully, and has been used, and will continue to be used, lawfully. The PTA must not allow any other person (including any other Data Controller) to use Classlist the platform, unless the PTA is satisfied that such use is lawful. It is also a requirement that the PTA has regularly and recently used the email addresses it is providing to contact parents for PTA purposes. If an email address has not been used for over a year or has never been used before, the PTA must be satisfied that the parent concerned will reasonably expect to be contacted using this email address. In this case a written note confirming the situation for the specific parent must be kept on PTA files.
- 1.5 Where the School is acting as Data Controller and is using email addresses which parents have provided for school purposes, it is lawfully permitted to perform a service upgrade and switch part of its regular community communications with parents to Classlist, a new Data Processor. It is recommended that this change of processor be noted in regular communications with parents two weeks in advance, and a notice placed on the School website. The following text can be used:

"[name of school] is introducing a new system called Classlist to enable parents to communicate easily with each other. Classlist's system offers high levels of security and privacy, and is designed to comply fully with new data protection regulations. You will shortly receive an email invitation, and can then decide whether to join and what data you would like to share. If you don't wish to receive this invitation please let

us know within 10 days of receipt of this notice. More information is available at www.classlist.com including the Privacy Notice, which explains how personal information is managed and protected. You can also join your school's Classlist immediately here.

Please be aware that for reasons of convenience and security we will also be switching to Classlist's email system as our main way of contacting you about matters relating to the parent community. This is technical change and will not otherwise affect how we use your personal data. It will apply to all parents including those who decide not to join Classlist."

- 1.6 This change is within a user's reasonable expectations; allows any user with concerns to raise them; and does not require consent. Parents can then be invited through this system to join the full Classlist site, where they will be asked to upload their own data and to give specific consent to share this with others. Unless parents provide this consent they will remain as Non-Members and will not receive any advertisements. Classlist Ambassadors and Class Reps manage the site, acting on behalf of the School. They are specifically notified about their responsibilities in this regard which they have agreed to when signing Classlist's standard T&Cs. Classlist also provides data compliance training to describe these responsibilities in more detail.
- 1.7 Where the School has already obtained consent from parents to share their details with other parents in the School, it is recommended that parents still receive the email described at paragraph 1.5 above. Where the School is satisfied that the existing consent covers all uses which the Classlist system permits, their full details can be uploaded directly into Classlist and the email described at paragraph 1.5 above should be tailored accordingly. The School should note though that valid consent under data protection law can be quite hard to obtain so if in doubt the School should not rely on this consent and should instead follow the process described at paragraphs 1.5 and 1.6 above. In either case parents must be notified of this service update and a notice placed on the School website two weeks in advance of the change.
- 1.8 As in the case where the PTA is acting as the Data Controller, if the School is the Data Controller then the School must ensure that all personal data which is processed through the Classlist platform has been obtained lawfully, and has been used and will continue to be used, lawfully. The School must not allow any other person, (including any other data controller) to use the Classlist platform, unless the School is satisfied that such use is lawful.
- 1.9 Where Class Reps have email addresses which they are using regularly and recently to contact parents, without close involvement from the PTA (or where no PTA which might qualify as a Data Controller exists) it is lawful for them to make a service upgrade and use Classlist to continue this communication. The Class Reps are acting as Data Controllers and Classlist as their Data Processor. In this

case, where the group is relatively informal and the Class Rep does not have organisational support or a website, it is recommended to inform parents two weeks in advance of the switch but it is not necessary to put up a separate notice.

1.10 Where parents acting in their capacity as parents wish to invite other parents to join Classlist, it is lawful for them to enter relevant email addresses into Classlist, which will then transmit a one-time invitation. These email addresses are not available to other parents or indeed to Classlist staff. Classlist does not retain a formal record of the email address and is simply acting as a postbox. The benefit for the invitee of receiving this invitation through Classlist – stating that it comes from the parent making the invitation - is that the invitee is taken to the correct URL for registration.

1.10 There may be a small number of cases where neither the School, PTA nor Class Reps act as Data Controllers; parents receive an invitation from a third party rather than through Classlist, and then upload their information directly, providing the required consents. In this instance Classlist itself will act as Data Controller and has the necessary registration with the Information Commissioner's Office. Any Ambassadors and Class Reps will be regarded as working on behalf of Classlist as the Data Controller. As part of the appointment process their notice will be drawn to the relevant part of Classlist's standard T&Cs which they have signed regarding this.

2 Member Registration

2.1 Where parents apply to become full members of Classlist the registration process provides guidance on what data they need to supply; what use is made of it, and who has access to it. Applicants are given the opportunity to review Classlist's Terms & Conditions and Privacy Notice before registering. They are asked to give their specific, pro-active consent.

2.2 For invitees choosing not to register they will continue to receive regular PTA or School communications in the same manner they did before, but now using a new Data Processor as set out above. They will have an opportunity to opt out of these communications through an "unsubscribe" link in the email. Such communications must be of the same nature as the communications were before they were sent through the Classlist platform.

2.3 For invitees who choose to unsubscribe from any communication through Classlist their details are removed from the database.

3 Member Validation

3.1 The Data Controller, or Data Processor acting on the Data Controller's behalf, may need to validate applicants to ensure they are bona fide members of the School community. Where the Data Controller is the PTA, Classlist may pass applicant personal data to the School, another Data Controller, to verify

potential Members' credentials. This is lawful because applicants are explicitly warned that this may happen when they apply to join the site.

4 Academic Term Updates

4.1 Where the PTA is the Data Controller it is lawful for the School as another Data Controller to assist in updating forms and classes which Member's children belong to as part of the regular update cycle at the end of school year or at other times as required to ensure the lists held in Classlist are accurate. The School can also assist in validating parent email addresses. No specific agreement is required for this from parents but the PTA must include the following wording in communications with the School prior to any data sharing, and must be satisfied that the method of sharing the data is secure :

“Please ensure that any parent or pupil information is provided using a secure, encrypted form of communication. The PTA will ensure that parents are provided with a copy of the Classlist privacy notice, which explains to parents how their personal data is used through the Classlist platform but this aside, both the school and the PTA remain responsible for their own compliance with data protection law.”

4.2 New parents coming into the School as part of the new year intake, or joining existing year groups, will need to go through the regular invitation and registration process described above.