

Classlist's Procedures and Processes for Data Protection Summary : March 2018

1. Classlist's new set of data protection documents are designed to comply with General Data Protection Regulation (GDPR) requirements taking effect May 2018. We've taken guidance from the UK Information Commissioner's Office (ICO) and worked with top law firm VWV¹, whose Opinion showing how Classlist's procedures and processes are lawful is available on request.
2. In regulatory terms, either the PTA or school acts as Data Controller, engaging Classlist as a Data Processor². If the PTA is a separate entity from the school and manages parent data it is very likely to be a Data Controller. Classlist's revised Data Protection Agreement formalising the relationship must be shared with a responsible person in the PTA or school. This normally happens as part of the site set-up procedure. The Agreement does not require signature.
3. If the PTA or school have contacted parents using a particular email address within the past year for PTA or school purposes, this email can lawfully be entered into Classlist, which becomes their new data processor dealing with email communications. This will fall within parents' reasonable expectations. The PTA or school should give users adequate notice of this change in case any parent objects to being invited. Mention in a newsletter; a note on the PTA or school website or noticeboard or other system regularly used to contact parents is sufficient. Where the PTA or school has not been in electronic contact with a parent, the PTA or school must keep on file evidence that the parent has consented to be contacted via email.
4. Where the PTA is data controller, it is lawful for the school, as another data controller, to assist in verifying details of new applicants against a master list. In addition at the end of each term or year, or when any relevant change occurs, the school can lawfully assist the PTA with lists of new classes and pupils in each class to ensure the Classlist database is accurate. Any personal data provided by the school must only be used for verification and updating and not be for any other purpose. Any personal data sent from the school to the PTA must be transmitted using a secure, encrypted form of communication.
5. Where the school is the data controller they can lawfully engage Classlist as a new data processor and enter parent emails directly into Classlist's invitation system where this data has been used within the last year to contact parents.
6. Where a parent receives an invitation to join Classlist and decides to register, they have full control over what personal data they input and share. The only mandatory fields are name, email and child's name. If they decide not to join, it is lawful for the school or PTA (whichever is data controller) to continue to email them regular updates and other information through Classlist. Apart from their name and email, no personal data has been uploaded and no information at all is visible to other parents. They can unsubscribe from these emails at any time.
7. Members must accept the T&Cs which include strict user guidelines, and also the Privacy Notice which details how members' personal data is protected, and never passed to third parties except where this is consistent with data protection law (eg a court order).
8. Full documentation including the Privacy Notice, Terms & Conditions, Data Protection Agreement, VWV Opinion, FAQs and notes on Classlist's approach to data processing is available through Classlist's Data Protection website. We can also be contacted directly at dataprotection@classlist.com.

¹ VWV is one of the top 5 firms advising UK schools (Chambers and Partners 2017; The Legal 500 - 2018)

² Where necessary (for example with a site run solely by a Class Rep, or to manage a small amount of advertising material in emails) Classlist is registered with ICO to act as a Data Controller.