

# Our Lady of Mercy Catholic Education Trust



## St Anthony's Girls' Catholic Academy

<b>Policy type:</b>	<b>School</b>
<b>Policy:</b>	<b>The 99 GDPR Articles</b>
Ratified by MAT Directors:	December 2019
Head Teacher signature:	<i>M. Shepherd.</i>
Chair of Directors signature:	<i>Shepherd.</i>
Review Date:	December 2020
Ownership:	M. Shepherd (Head Teacher)

# **St Anthony's Girls' Catholic Academy**

## **GDPR (General Data Protection Regulation) 2018**

There are 99 articles which make up the GDPR. My personal summary below. You will note that much of this is about systems, structure and procedures at national and EU level.

### **Chapter 1 General Provisions**

1. Lays down rules to protect data.
2. The scope of the regulation is explained ie. automated and non-automated data.
3. The territorial scope of the regulation is explained ie. the EU.
4. Definitions ie. "personal data, "processing" etc.
5. Six data protection principles.

### **Chapter 2 Principles**

6. Explains what "lawful" processing is.
7. Conditions for consent and the right to withdraw consent.
8. Considers children's consent.
9. Explains "special category" personal data.
10. Refers to processing personal data linked to criminal convictions and offences.
11. Processing which does not require identification.

### **Chapter 3 Rights of data subjects**

12. The need for transparent information.
13. Information to be provided when collecting personal data.
14. Information to be provided where personal data have not been obtained from the data subject
15. Right of access.
16. Right to rectification if data is incorrect.
17. Right to erasure.
18. Right to restriction of processing.

19. Notification, obligation etc. re. rectification, erasure or restriction.
20. Right to data portability.
21. Right to object.
22. Right not to be subject to a decision based solely on automated processing.
23. Restrictions eg. national security, defence, public security, criminal offences etc.

#### Chapter 4 Controller and Processor

24. Responsibility of the data controller.
25. Data protection by design.
26. Joint controllers.
27. Representatives of controllers or processors not in EU.
28. Processor.
29. Processing under the authority of the data controller or processor (unless required to do so by law).
30. Records of processing activities.
31. Co-operation with the supervisory authority.
32. Security of processing.
33. Breach notification.
34. Communication of breach to data subject.
35. Impact assessment.
36. Prior consultation with supervisory authority in high risk situations.
37. Need to appoint a DPO.
38. The DPO position.
39. Tasks of DPO.
40. Code of conduct of DPO.
41. Monitoring of codes of conduct.
42. Certification.
43. Certification bodies.

#### Chapter 5 Transfer to third countries and international organisations

44. General principles for data transfer to a third country or international organisation.
45. Transfer if “adequate levels of protection.”

46. Transfers subject to safeguards.
47. Binding corporate rules.
48. Transfers or disclosures not authorised by EU law.
49. What to do in the absence of an “adequacy” decision.

#### Chapter 6 Independent Supervisory Authorities

50. The supervisory authority.
51. Independence of the supervisory authority.
52. Independence of the supervisory authority.
53. Conditions for members of the supervisory authority.
54. Rules on estb. a supervisory authority.
55. Competence of a supervisory authority.
56. Competence of the lead supervisory authority.
57. Tasks of the supervisory authority.
58. Powers of the supervisory authority.
59. Supervisory authority activity reports.

#### Chapter 7 Co-operation and consistency

60. Co-op. between lead supervisory authority and other supervisory authorities.
61. Mutual assistance.
62. Joint ops. Of the supervisory authority.
63. Consistency mechanism.
64. Opinion of the board.
65. Dispute resolution by the board.
66. Urgency procedure (supervisory authority).
67. Exchange of info. between supervisory authorities.
68. European Data Protection Board.
69. Independence of the European Data Protection Board.
70. Tasks of the European Data Protection Board.
71. Reports of the European Data Protection Board.
72. Procedure of European Data Protection Board.
73. Chair of European Data Protection Board.

74. Tasks of the Chair of European Data Protection Board.
75. Secretariat of European Data Protection Board.
76. Confidentiality of European Data Protection Board.
77. Right to lodge a complaint with a supervisory authority.

#### Chapter 8 Remedies, liability and penalties.

78. Right to judicial remedy against a supervisory authority.
79. Right to judicial remedy against a controller or processor.
80. Representation of data subjects.
81. Suspension of proceedings
82. Right to compensation and liability.
83. Conditions for imposing administrative fines.
84. Penalties.

#### Chapter 9 Provisions relating to specific processing situations.

85. Processing and freedom of expression and information.
86. Processing and public access.
87. Processing and the national identification no.
88. Processing in the context of employment.
89. Archives, research and statistics.
90. Obligations of secrecy.
91. Existing D.P. rules of churches and religious associations.

#### Chapter 10 Delegated acts and implementing acts.

92. Exercise of delegation.
93. Committee procedure.

#### Chapter 11 Final provisions

94. Repeal of directive 95/46 EC.
95. Relationship with directive .
96. Relationship with directive 2002/58/EC
97. Commission Reports.
98. Review of other union law on DP.

99. Entry into force 25th May 2018.