**Post: Data Protection Officer**

**Location:** Central – but will require travel to multiple sites

Salary: £34000

Status: Full time permanent contract

Contract: HO OAT

Hours: 36.5 hours a week, flexible to meet the needs of the business

Responsible to: National Director of Estates & Technology

**Responsible for:**

The Data Protection Officer (DPO) is a [mandatory role](https://iapp.org/news/a/top-10-operational-impacts-of-the-gdpr-part-2-the-mandatory-dpo/) for all companies that collect or process EU citizens’ personal data, under Article 39 of GDPR.

DPOs are responsible for educating the company and its employees about compliance, training staff involved in data processing, and conducting regular security audits. DPOs also serve as the point of contact between the company and any Supervisory Authorities (SAs) that oversee activities related to data.

As outlined in GDPR Article 39, the [DPO’s responsibilities](https://www.dponetwork.eu/faqs.html) include, but are not limited to, the following:

**Main duties and responsibilities**

* To be the statutory Data Protection Officer (DPO) for the Trust, take responsibility for overseeing the Trust and its academies data compliance programme, data privacy, and in particular ensuring the Trust and its academies meet its obligations under the General Data Protection Regulations (GDPR) and any future regulations relating to data management or privacy.
* The DPO will act as the primary contact point for the Information Commissioner’s Office (ICO) and provide independent objective advice for the Trust executive team and Academy senior staff.
* In conjunction with the National Director of estates and technology, refine and execute the Trusts data protection policy.
* Lead the Trusts response to any regulatory investigation or request for information such as FOI and SAR
* to carry out, advise on, and to monitor, data protection impact assessments;
* to cooperate with the regulatory authorities; and to be the first point of contact for regulatory authorities and for individuals whose data is processed (employees, students etc).

**Monitoring and Compliance**

* to maintain records required to demonstrate data protection compliance
* manage an assurance programme and related audits.
* Ensure Trust compliance with new & developing legislation (GDPR, DPA, Privacy and Electronic Communications Regulations (PECR) / ePrivacy)
* Ensure that Trust is aware of best practice and any case precedents, interpreting law changes into practical policies and procedures
* Regular report on achieving and monitoring compliance including any remedial measures taken
* Create, update and disseminate polices & procedures relating to GDPR compliance and provide review and guidance for other policies.
* Draw up a GDPR policy and strategic plan from the GDPR regulations. Working closely with stakeholders, render the OAT policy into operational procedures for academy staff to use at all levels with a focus on implementing privacy by design.
* To identify, test and improve controls on the confidentiality, integrity and availability of personal data.
* Analysis of data from FOI/SAR/Complaints. Identify trends and provide proposals to address issues or concerns.
* Ensure that Data Processing and sharing Agreements between the Trust and a wide range of business partners are maintained.
* Ensure that Data Protection Impact assessments (DPIAs) are carried out
* Carry out audits and spot-checks to monitor compliance within academies.

**Advice and Training**

* Create, manage and deliver a programme of awareness-raising for the importance of data compliance and foster a data privacy culture within the Trust. Embedding the principal of Privacy by Design into the normal working practices.
* Maintain training logs for all staff as required by the GDPR
* Be the first point of contact for enquiries from staff and subject access requests, providing them with appropriate advice and guidance.
* Design, mange and implement an annual training programme including initial / induction training, refresher and higher level training for staff that handle sensitive data. Provide guidance for all Trust employees. Ensuring that such training is compliant with the regulatory requirements.
* Work with internal and external partners to ensure opportunity for training is accessible for all.
* Undertake proactive work and site audit that promote good GDPR working practices and compliance with GDPR requirements within academies.

**DPO Authority**

* The DPO shall have the authority, autonomy and decision-making powers to manage noncompliance and breaches, including reporting such incidents to the relevant regulatory authorities. The DPO must inform line manager or Trust Executive Team before reporting externally.
* The DPO must strike a balance between being a trusted advisor and the internal policing role. The nature of the post has a level of independence, due to protected mechanisms within the GDPR
* The DPO shall have all necessary co-operation and access to systems holding

personal data for the execution of their task.

* be the primary contact for all Data Subjects supporting with their enquiries regarding all issues relating to processing of their personal data.
* The DPO shall be bound by secrecy and confidentially regarding the performance of their tasks.

**Other Responsibilities**

* Represent the Trust or Academies at meetings, professional engagements and networking events.
* Contribute actively to the development of quality improvement and self-evaluation.
* Be actively committed to your own continuous professional development.

**General responsibilities**

* To adhere at all times to the Trust’s policies and procedures
* Maintain confidentiality of information acquired in the course of undertaking duties

Ensure that work is completed in compliance with relevant legislation and procedures relating to this role

* Post holders may be required to work flexibly in order to meet the business needs. All staff are required to partake in performance management and training activities
* Be aware of safeguarding and promoting the welfare of children and to report any concerns in accordance with the school’s safeguarding policy.
* The above list is not exclusive or exhaustive, and the Trust may require the post holder to undertake duties commensurate with the level of the role. As part of your wider duties and responsibilities, you are required to promote and actively support the Trusts responsibilities towards safeguarding.
* The Trust expect that employees deal with people politely and tactfully, communicating with colleagues both formally and informally, modelling the Trust’s Code of Conduct and the equality policy objectives.

**DBS**

* An enhanced disclosure and barring check will be a requirement of the post

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| Attributes tested by Application, Interview, Task and References |  |
| Qualifications & Experience | Essential E/ Desirable D |
| Legal qualification to a minimum of degree standard or legal experience that shows an equivalent understanding of related legal matters. | E |
| British Computer Society (BCS) certification in (*Certificate in Information Security Management Principles , Freedom of Information, Information Assurance Auditing & Compliance, Information Systems Security Management, Information Risk Consultancy & Certificate in Security Architecture*) or similar | D |
| Certified EU GDPR Practitioner qualification | D |
| Expert knowledge of data protection legislation, in particular the GDPR with a compliance, IT security, legal or audit background | D |
| Privacy qualifications e.g. Certified Information Privacy Professional (CIPP) | D |
| Experience in managing data incidents and breaches | E |
| Previous experience of monitoring compliance with regulatory requirements and effectively engaging regulatory bodies | E |
| Knowledge of cybersecurity risks and other information security standards | E |
| Experience in a similar role – demonstrating an understanding of the data protection risks faced by large data-driven organisations with the ability to conduct the role independently and with integrity. | E |
| Knowledge of data processing operations in the education sector is preferable | D |
| Experience of handling confidential information | E |
| Skills and Abilities | Essential E/ Desirable D |
| Ability to review systems to ensure the robust evaluation of performance and actions to secure improvements. | E |
| Ability to make good judgements regarding data privacy risks and to prioritise resources and activity around managing those risks | E |
| Strong listener and able to communicate effectively and in a clear and concise manner both on the telephone and face to face. | E |
| A strong ability to analyse, interpret and resolve problems and to develop, report and implement practical, workable solutions | E |
| Ability to complete work to the required standards and to agreed deadlines.  Evidence of successfully managing complex projects from inception to completion | E |
| Ability to develop and maintain effective working relationships with a wide range of people. | E |
| Excellent organisational, communicating and problem-solving skills, with the ability to use own initiative and work proactively both in a team and independently. |  |
| Project management skills, managing contractors, consultants, understanding designs and project plans | E |
| Demonstrates a flexible approach to work to enable effective delivery of service. | E |
| Other Attributes | Essential E/ Desirable D |
| Proactive, flexible and adaptable. | E |
| Punctual and conscientious. | E |
| Prepared to challenge non-compliance. | E |
| Discretion, tact and confidentiality always. | E |
| Good time management and the ability to prioritise workload. | E |
| Able to work under pressure and to deadlines and deliver excellent attention and produce accurate results. | E |
| Evidence of ability to successfully work within a team | E |
| Calm in a crisis to bring about resolution. | E |
| Able to drive and travel across the region and, from time to time nationally. May need to stay out overnight on occasion. | E |
| Ability to adapt to changes in the workplace. | E |
| Understanding and commitment to the safeguarding of children. | E |
| Commitment to the school ethos and aims. | E |
| Commitment to equal opportunities. | E |
| Accurate and fluent spoken English. | E |
| A commitment to safeguarding and promoting welfare for all | E |
| Exemplary levels of integrity | E |