



Data Consent Policy

1. Introduction

This policy recognises the duties placed upon Truro and Penwith College under the General Data Protection Act (2018) (GDPR). The GDPR sets a high standard for consent. Consent means offering individuals real choice and control of how we use their data. Consent must be explicit, freely given in circumstances where there is no detriment on refusal or imbalance of power in gaining consent.

2. Purpose

The purpose of this policy is to outline the basis on which we use Consent as a lawful basis for processing data for a range of purposes. Consent is only one lawful basis for processing and where genuine choice cannot be established, an alternative basis for processing should be considered.

3. Scope

Consent requires a positive opt-in and specifically bans pre-ticked boxes. It will be used when we can offer people real choice and control over how we use their data. It will not be a precondition of providing a service. We will only rely on consent when we can demonstrate it has been freely given. We will review consents to check that the relationship and purpose have not changed and refresh consent periodically, including parental consents.

4. Consent

This policy is most likely to be used for marketing purposes or situations where data might be used for limited or time-bound situations. Example might include consent by students to use their photographs for printed marketing materials. Consent would be a genuine choice as long as they would not be denied education or other services of the college should they refuse. Filming in the work environment may be undertaken with consent, as long as those who may be included in background are given the opportunity to decline without detriment.

5. Compliance of Consent to Process Personal Data

Truro and Penwith College understands the standards required for processing data by Consent.

In doing so, the following key conditions will be applied when applying this policy:

- Consent will be identified as the most lawful basis for processing certain categories of data
- Consent obtained for one purpose will not be used for another without renewed permission
- We will use clear, plain language that is easy to understand
- We will specify why we want the data and what we are going to do with it
- We will make the request for consent explicit, prominent and separate from our terms and conditions
- We will give separate, distinct options to consent separately to different purposes and types of processing

- We will tell individuals that they can withdraw their consent, or refuse consent without detriment
- We will avoid making consent a precondition of a service
- We will name any third-party controllers who may rely on the consent and offer electronic links to their Privacy Statements
- We will keep clear records of how and when we got consent from the individual
- We will make it easy for individuals to withdraw their consent at any time.

Records of consent will be kept under review and refreshed if circumstances change.

6. Related Standards, Policies and Procedures

- Data Protection Policy

7. Review Frequency

This policy will be reviewed annually or as legislative change requires.