



# **Nexus Education Schools Trust**

## **Consent Procedure**

**Date: September 2023**

**Review Date: September 2025**

# Consent Procedure

## 1. Scope

The consent of the data subject is one of the conditions for the processing of his or her personal data and is within the scope of this procedure. Nexus Education Schools Trust (NEST) needs to obtain consent when no other lawful basis applies.

Consent of the data subject is defined by the UK GDPR as “any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her”.

Explicit consent is required for the processing of sensitive personal data. Specific conditions apply to the validity of consent given by children in relation to information society services, with requirements to obtain and verify parental consent below certain age limits.

## 2. Responsibilities

2.1 As a data controller, NEST is responsible under the UK GDPR for obtaining consent from the data subject under advisement from the Data Protection Officer.

## 3. Consent Procedure

3.1 NEST provides a clear privacy notice wherever personal data is collected to ensure that consent is informed and that the data subject is informed of their rights in relation to their personal data.

3.2 NEST demonstrates data subject(s) consent to the processing of his or her personal data or explicit consent for sensitive personal data – Data Subject Consent Form

3.3 NEST demonstrates data subject(s) consent to the processing of his or her personal data for one or more specific purposes

3.4 NEST demonstrates data subject(s) consent is clearly distinguishable from any other matter relating to the data subject (if recorded in paper / electronic file format use Data Subject Consent Form, or email then attach the email to the form).

3.5 NEST demonstrates data subject(s) consent is intelligible and accessible using clear and plain language.

3.6 NEST demonstrates data subject(s) are informed of their right to withdraw consent before giving consent (Right to withdraw Consent Procedure).

3.7 NEST demonstrates processing of data is limited to that stated in the contract, bound by the explicit consent given by the data subject.

## 4. Child Consent Procedure

4.1 Where processing relates to a child under 13 years old NEST demonstrates that consent has been provided by the person who is the holder of parental responsibility over the child utilising the Parental Consent Form, in instances where NEST offers services online targeting children.

4.2 NEST demonstrates reasonable efforts have been made to verify the age of the child and establish the authenticity of the parental responsibility taking into consideration available technology.