NORMAN MANLEY LAW SCHOOL

PERSONAL DATA PROCESSING CONSENT POLICY

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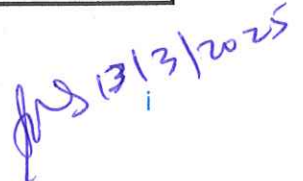
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DEFINITIONS:

CONSENT	Consent is any freely given, specific, informed, and unambiguous indication of a data subject's wishes by which the data subject, either by a statement or by a clear affirmative action, signifies agreement to personal data relating to them being processed.
DATA CONTROLLER	Data controllers are people or organisations that hold and use personal data, either alone, jointly, or in common with others. They decide how and why the information is used and have a responsibility and obligation to establish workplace practices and policies that are in line with the Data Protection Act or any other relevant legislation.
DATA PROCESSOR	Data processor in relation to personal data means any person, other than an employee of the data controller, who processes the data on behalf of the data controller.
DATA SUBJECT	An identifiable person, one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that person.
PERSONAL DATA	Any information relating to an individual data subject who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that person. This data could be anything from a name, an email address, geolocation data, or even a username or IP address.

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1.0 TITLE: Personal Data Processing Consent Policy

2.0 POLICY STATEMENT

The Council of Legal Education - Norman Manley Law School (NMLS) understands its role as a data controller under the Data Protection Act 2020 (DPA). Consent is one of the lawful bases for processing personal data. Genuine consent should put the data subject in control over how NMLS uses their data.

In order to rely on consent as a lawful basis for processing, it must be validly obtained.

As prescribed by the DPA, where relying on consent as a lawful basis for processing personal data, the school recognises its obligation to obtain consent from stakeholders validly and to collect and process such data in a manner that complies with the standards, requirements, and any relevant regulations under the DPA.

3.0 PURPOSE

This policy will direct all staff who process personal data to obtain the required consent and to do so in the manner required by the DPA. The policy serves to ensure that all NMLS data processors are appropriately guided in collecting and processing data subject's personal data fairly and lawfully, consistent with the legal and regulatory framework of the DPA.

4.0 SCOPE

This policy applies to all NMLS employees, contractors, and third parties who, to perform their duties and fulfil their assigned responsibilities, are required to collect and process the personal data of NMLS Data Subjects

5.0 PROCEDURE

The NMLS will obtain Personal Data with the consent of the Data Subject, or the Data Subject's representative in cases where it is relying upon consent as for the lawful basis of processing.

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In instances where consent is to be requested and received from an individual prior to data collection, data use, or disclosure of Personal Data, the NMLS will seek such consent.

The NMLS shall establish a system for obtaining and documenting consent from the Data Subject to collect, process, and/or transfer their Personal Data. The systems employed will meet the following requirements:

a) Where processing is based on consent, the NMLS, when acting as a "controller", shall be able to demonstrate that the Data Subject has consented to the processing of personal data.

b) Ensuring that the request for consent is presented to the Data Subject in a manner which is clearly distinguishable from any other matters, in an intelligible and easily accessible form, using clear and plain language.

c) Ensuring that a simple method is employed to enable the Data Subject to easily withdraw consent at any time.

d) Ensuring that when assessing whether consent is freely given, the performance of a contract, including the provisioning of a service, is not conditional on the giving of consent to the processing of Personal Data that is not necessary for the performance of that contract.

e) Documenting a record of the consents made by Data Subjects and the date and methods used by the Data Subjects to grant consent to the NMLS to enable it to collect, process and/or transfer the Data Subject's Personal Data.

5.1   Training Considerations:

All NMLS employees, contractors and third parties will be sensitised regarding the implementation and use of the processes and any related systems utilised to enforce this policy.

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6.0 RESPONSIBILITIES

6.1 Compliance, Monitoring and Review

The Data Protection Officer (DPO) will perform a periodic review of the enforcement of this policy throughout the organisation. Further, the DPO will review the accuracy of the records maintained according to the stated records management and retention requirements.

Heads of Departments (HODs) will perform regular monitoring activities within their departments and with suppliers to ensure the effective implementation of this policy in day-to-day operations.

Compliance verification requirements shall include reviewing the contents of the records generated by the implementation of this policy. These records should reflect the date of collection or withdrawal of consent and the methods used by data subjects to grant consent for the NMLS to collect, process, and/or transfer their personal data.

6.1.1 **Reporting**

Heads of Departments

Heads of Departments will submit reports to the Principal/DPO, in accordance with prescribed requirements, regarding the status of implementation and effectiveness of this policy.

6.1.2 **Records Management**

As applicable, the DPO, in concert with all HoDs, will ensure that employees, contractors and third parties maintain accessible and readily retrievable records of the consent made and withdrawn by the Data Subject and the date and methods used by the Data Subject to grant consent to NMLS to enable it to collect, process and/or transfer the Data Subject's Personal Data.

All records relevant to administering this procedure will be stored in an approved school recordkeeping system.

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7.0 ASSOCIATED DOCUMENTS:

    6.2 NMLS Data Privacy Notice-External Facing

    6.3 NMLS Data Privacy Notice for Student

    6.4 NMLS Data Privacy Notice for Employees

    6.5 Consent to Process Personal for Data Direct Marketing (CPPDFo)

    6.6 Notice to Prevent Processing Form (NPPFo)

    6.7 NMLS Personal Data Consent Log (Received & Withdrawn)

8.0 APPROVAL

Current Document Revision #:	Rev00
Revision Date:	March 2025
Procedure Owner:	Principal
Approval Authority & Date:	
Next Revision Date/Period:	
Document Revision Note:	

Revision History

Last Revision #:	
Last Revision Date:	
Change Summary:	

MJ 13/3/2025

UNCONTROLLED WHEN PRINTED.

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9.0 APPENDIX

signature 13/3/2025