

Document Title	Code of Practice 9: Consent procedure
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Relevant to	All academic and professional services staff

1. Introduction

- Consent is one of the six conditions, or lawful bases, under which organisations can process personal data. Consent is often difficult, and therefore an alternative lawful basis should be used if possible. Refer to Code of Practice 1: Collecting and processing personal data – staff responsibilities for the other conditions. Refer also to the University's Data Processing Activities Register (DPAR).
- If you cannot offer the individual a genuine choice, consent is not appropriate.
- If consent is a precondition of a service, then it is unlikely to be the most appropriate lawful basis.

2. Using consent as the lawful basis for processing

- We should tell individuals why we want the data and what we're going to do with it.
- Different purposes will require separate consents.
- Consent requires a positive opt-in. Pre-ticked boxes or any other method of default consent are not fully informed consent.
- Explicit consent requires a very clear and specific statement of consent in language which is easily understood, and unambiguous.
- It should be clear to the data subject what they are consenting to.
- It should be easy for individuals to withdraw consent.
- Consent should be freely given. Individuals should be able to refuse consent without detriment.
- Consent should be separate from other terms and conditions.
- Records of consent should be kept, and when and how the consent was obtained, and what the individual was told.
- There is no time limit for consent, although consent can be withdrawn at any time.

3. Sensitive personal data (special category data)

- Explicit consent will often be used when processing sensitive personal data: race, ethnic origin, politics, religion, trade union membership, genetics, biometrics (where used for ID purposes), health, sex life, or sexual orientation.
- An explicit consent should rely on a statement either written by or agreed to by the data subject.
- Consent is not the only basis which can be used for sensitive personal data. For more advice contact Compliance.

4. Consent Template

The following must be included in a request for consent:

- The name of the Data Controller (University of Greenwich)
- The name of any third party organisations (controllers, processors etc.) who will also rely on the consent, if necessary
- The purpose(s) for processing the data and the types of processing activity – what we will do with the data
- Positive opt-in tick-box, or statement of explicit consent
 - Separate opt-in tick-boxes for different purposes if necessary
- That individuals can withdraw their consent at any time (and how to do that)
- Relevant contact details.