



## **1. Purpose**

This procedure outlines steps taken to obtain data subject (as defined in the Regulation of the European Union Parliament, dated April 27, 2016 (EU 2016/679)(General Data Protection Regulation (GDPR)), Art. 4 (1)) consent to the processing of their personal data at the University of Mary.

## **2. 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. The University of Mary needs to obtain consent when no other lawful basis for processing personal data applies.

Consent of the data subject is defined by the General Data Protection Regulation (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." (GDPR, Art. 4 (11))

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

## **3. Responsibilities**

- 3.1 As a data controller, the University of Mary is responsible under the GDPR for obtaining consent from the data subject under advisement from the Data Protection Officer.

## **4. Consent procedure**

- 4.1 The University of Mary 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.
- 4.2 The University of Mary 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.
- 4.3 The University of Mary demonstrates data subject(s) consent to the processing of his or her personal data for one or more specific purposes – Data Subject Consent Form.
- 4.4 The University of Mary demonstrates data subject(s) consent is clearly distinguishable from any other matter relating to the data subject (if recorded on paper/electronic file format use the Data Subject Consent Form, or email then attach the email to the form).
- 4.5 The University of Mary demonstrates data subject(s) consent is intelligible and accessible using clear and plain language.
- 4.6 The University of Mary demonstrates data subject(s) are informed of their right to withdraw consent before giving consent – Right to withdraw Consent Procedure).
- 4.7 The University of Mary demonstrates processing of data is limited to that stated in the contract, bound by the explicit consent given by the data subject.



**5. Child consent procedure**

Where processing relates to a child under 16 years old, the University of Mary demonstrates that consent has been provided by the person who is the holder of parental responsibility over the child, in instances where the University of Mary offers services to children.

- 5.1 The University of Mary 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.