



QUICK GUIDE

Consent and General Data Protection Regulation (GDPR)

- The GDPR set a high standard for consent. But you often will not need consent. If consent is difficult, look for a different lawful basis
- Consent means offering individuals real choice and control. Genuine consent should put individuals in charge, build trust and engagement and enhance your reputation
- Check your consent practices and your existing consents. Refresh your consents if they do not meet the GDPR standard
- Consent requires a positive opt-in. Do not use pre-ticked boxes or any other method of default consent
- Explicit consent requires a very clear and specific statement of consent
- Keep your consent requests separate from other terms and conditions
- Be specific so that you get separate consent for separate things
- Vague or blanket consent is not enough
- Be clear and concise
- Name any third-party controllers who will rely on the consent
- Make it easy for people to withdraw consent and tell them how
- Keep evidence of consent – who, when, how and what you told people
- Keep consent under review and refresh it if anything changes
- Avoid making consent to processing a precondition of a service
- Public authorities and employers will need to take extra care to show that consent is freely given and should avoid over-reliance on consent.

Checklist

- We have checked that consent is the most appropriate lawful basis for processing
- We have made the request for consent prominent and separate from our terms and conditions
- We ask people to positively opt in
- We do not use pre-ticked boxes or any other type of default consent
- We use clear, plain language that is easy to understand
- We specify why we want the data and what we are going to do with it
- We give separate distinct ('granular') options to consent separately to different purposes and types of processing
- We name our organisation and any third-party controllers who will be relying on the consent
- We tell individuals they can withdraw their consent
- We ensure that individuals can refuse to consent without detriment
- We avoid making consent a precondition of a service
- If we offer online services directly to children, we only seek consent if we have age-verification measures (and parental-consent measures for younger children) in place.