PRIVACY DIALOGUES

by EduLegaL

Conversations on Data Privacy, Protection & Trust in Education

An Awareness & Knowledge Series for Educational Institutions

STAGE | CONSENT

Consent FAQ for Schools and Colleges

Twelve questions every front office asks

INSIDE: THE QUESTIONS THIS FAQ ANSWERS

- **Can we take consent for photos, bus app and medical details through one tick?**
- **Do we need parental consent for school bus tracking?**
- **Can a parent withdraw photo consent later?**

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main compliance date

DPDP Rules apply to every school and college.

Swipe for the answers >

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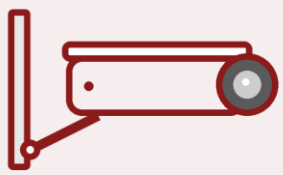
WHY CONSENT MATTERS

Three boxes for every campus use



Consent

Photos in the prospectus and on social media, marketing, alumni updates, medical details. The family has a real choice.



Safety with notice

CCTV and bus tracking for the safety of enrolled children. No parental consent, but tell parents what is recorded.



Emergency

A threat to life or health. Act first and share the medical history with the doctor. No form to sign.

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THE PRIVACY STAKES

Why one signature is not consent



Children's data

Most students are below 18. The law requires verifiable parental consent, and bars tracking and targeted advertising aimed at children, with exceptions for safety.



Specific, not blanket

Consent must be free, specific, informed and unconditional, and limited to the data needed for each purpose.



Real penalties

Up to Rs 200 crore for breaching the duties on children's data. Up to Rs 250 crore for weak security safeguards.

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CONSENT FAQ FOR EDUCATIONAL INSTITUTIONS

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THE BASICS

1 Do we need consent every time we use a student's personal data?

Answer: No. Consent is needed where the family has a real choice. Disclosures required by law, medical emergencies and staff employment uses do not need it.

Example: *Attendance returns to the university need no fresh consent. Promoting a paid summer camp to parents does.*

2 Can we take consent for photos, bus app and medical details through one tick on the admission form?

Answer: No. Consent must be specific to each purpose, and the institution must be able to prove the same. Give separate choices in plain language.

Example: *"I agree to all uses of my child's data" is weak. Separate boxes for print photos, online photos and medical details work.*

3 Whose consent do we take for a student below 18, the parent or the student?

Answer: The parent or lawful guardian, verified as an adult. The student's own signature is not enough until 18.

Example: *A 17 year old signs the photo consent herself. Invalid. If parents are separated, take consent from the parent holding custody.*

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CCTV AND PHOTOGRAPHS

4 Do we need consent for CCTV cameras on the campus?

Answer: For enrolled children, the Rules exempt institutions from parental consent for monitoring done for safety. Staff use is employment related. Put up a notice.

Example: *Cameras at gates, corridors and playground with a notice board are fine. A camera in a changing room is not.*

5 Can we use photos and videos of students taken at events in the prospectus, website or social media?

Answer: Only with consent. Promotion is not a safety purpose. Take the parent's consent for a child, and state the medium and the period.

Example: *Annual day photos in the printed prospectus need consent from the parents of each child who can be identified.*

6 Can we refuse admission or a benefit if a parent says no to photographs?

Answer: Not for optional uses. Consent must be unconditional, so the same cannot be tied to admission.

Example: *The ID card photo is needed by the school. The prospectus photo is not, so a refusal cannot cost the child a seat.*

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BUS TRACKING AND MEDICAL DETAILS

7 Do we need parental consent to track school buses and children's location by GPS or RFID cards?

Answer: Not for safety tracking on the journey to and from school. The Rules exempt institutions and their transport contractors. Use the data for nothing else.

Example: *Live bus location and an RFID tap at boarding are fine. A contractor using the data for its own marketing is not.*

8 Do we need consent to collect a student's medical history, allergies and health conditions?

Answer: In most cases, yes. Take verifiable parental consent for a stated purpose such as care in school, limited to what is needed.

Example: *Blood group, allergies, asthma and an emergency contact are reasonable. A full medical file is not.*

9 Can we share a student's medical information with teachers, the canteen or a hospital?

Answer: In a medical emergency, yes, without waiting for consent. Otherwise share only what each person needs to know.

Example: *A peanut allergy goes to the class teacher and canteen. A medical list pinned on the staff room notice board does not.*

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SECURITY, WITHDRAWAL AND RENEWAL

10 Can we use biometric or face recognition for the attendance and entry of students and staff?

Answer: It is not prohibited, but it must be justified. Collect only what is needed, give notice, take consent, offer an alternative and store the data securely.

Example: *Fingerprint attendance for staff with a notice is defensible. A vendor training its own product on student faces is not.*

11 Can a parent withdraw consent later, and what happens to the photos and records already used?

Answer: Yes, at any time, as easily as it was given. Stop the use, tell processors to stop and erase unless a law requires retention. Past use stays lawful.

Example: *Remove the photo from the website and social media and leave it out of the next print run. Copies already printed need not be recalled.*

12 Do we need fresh consent when a student turns 18, or when we begin a new use of the same data?

Answer: Yes, for any new purpose. At 18 the student consents personally, so ask afresh for optional uses.

Example: *A photo taken at 15 for the prospectus is covered for that edition. Using it in an alumni brochure at 19 needs the student's consent.*

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MYTH VERSUS FACT

Four things institutions get wrong

MYTH A signed admission form covers every use of the data.

FACT **Each purpose needs its own specific consent.**

MYTH CCTV and bus tracking always need parental consent.

FACT **Safety monitoring by an educational institution is exempt, but must stay within safety.**

MYTH Consent once given lasts for ever.

FACT **A parent can withdraw consent at any time, and the institution must act.**

MYTH Medical details can be shared with every teacher.

FACT **Share only on a need to know basis, except in a medical emergency.**

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SPOT THE DIFFERENCE

Red flag or green flag on your form?

RED FLAG	GREEN FLAG
One tick box: I agree to everything	**Separate boxes for each optional use**
Photo consent made a condition of admission	**Photo consent optional, with a clear No**
A 17 year old ticks consent alone	**Parent gives separate, verified consent**
Medical list pinned on the staff room board	**Medical details shared on a need to know basis**
No way to withdraw consent	**Named contact and a simple withdrawal process**

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READY TO USE

Model consent block for your admission form

Please tick YES or NO for each item. Your answers to items 1 to 3 do not affect the admission of your child.

1. Photographs of my child in the printed prospectus: YES / NO

2. Photographs and videos of my child on the website and social media: YES / NO

3. Updates about alumni events and activities: YES / NO

4. Medical information (allergies and conditions) held for care in school and shared on a need to know basis: YES / NO

Safety notice: CCTV cameras and bus tracking operate on the campus and buses for the safety of children. Details: _____.

You may withdraw any consent by writing to _____ at _____. We respond within ____ days.

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SELF CHECK

How ready is your front office?

- ☐ Our admission form has separate consent boxes.
- ☐ Parents give verified consent for students below 18.
- ☐ Photo consent is optional and has a clear No.
- ☐ Admission never depends on optional consent.
- ☐ A notice on CCTV and bus tracking is displayed.
- ☐ There are no cameras in washrooms or changing rooms.
- ☐ Medical details are shared on a need to know basis.
- ☐ Consents are recorded and can be produced.
- ☐ Parents can withdraw consent easily.
- ☐ Biometric data is stored securely and used for nothing else.

Score ____ out of 10

8 to 10: well placed. 5 to 7: fix the gaps this month. Below 5: start now.

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ACTION LIST

Five things to do this month

1. Replace the single tick with separate consent boxes.

2. Take parent consent for photographs and make it optional.

3. Display a notice on CCTV and bus tracking.

4. Share medical details on a need to know basis only.

5. Keep a consent register and a simple way to withdraw.

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ABOUT EDULEGAL

Education law, built for institutions

EduLegaL is the education practice of RSB LegaL, Pune. Since 2009, a unified team of legal, finance, education and technology experts has served schools, colleges, universities, trusts and societies across India.

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WORK WITH US

Send us your consent form.

We will mark the gaps in a 30 minute call.

mail@edulegal.in

Comment FAQ to receive the full document.



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HOW WE CAN HELP

Data privacy services for institutions

- Readiness assessment and data mapping
- Notices, consent forms and parent consent workflow
- Retention and erasure schedules
- Vendor and processor agreements
- Advice on CCTV, bus tracking, biometrics and photographs
- Breach response plan and mock drill
- Staff training and annual retainer with a privacy desk
- Representation before the Data Protection Board

Write to us: mail@edulegal.in

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General guidance only, not legal advice for any particular institution.

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