**General Data Protection Regulation Consent Checklist**

Information available from the Information Commissioner’s Office:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/consent/>

**At a glance**

* The GDPR sets a high standard for consent.
* Consent means offering individuals real choice and control. Genuine consent should put individuals in charge, build customer trust and engagement, and enhance your reputation.
* Consent requires a positive opt-in.
* Explicit consent requires a very clear and specific statement of consent.
* Keep your consent requests separate from other terms and conditions.
* Be specific and ‘granular’ 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.

**Checklists**

**Asking for consent**

* 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 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 individual (‘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.

**Recording consent**

* We keep a record of when and how we got consent from the individual.
* We keep a record of exactly what they were told at the time.

**Managing consent**

* We regularly review consents to check that the relationship, the processing and the purposes have not changed.
* We have processes in place to refresh consent at appropriate intervals, including any parental consents.
* We consider using privacy dashboards or other preference-management tools as a matter of good practice.
* We make it easy for individuals to withdraw their consent at any time, and publicise how to do so.
* We act on withdrawals of consent as soon as we can.
* We do not penalise individuals who wish to withdraw consent.