

Carrakennedy National School

Data Protection Policy

Introduction:

This Data Protection Policy applies to the personal data held by the school which is protected by the Data Protection Acts 1988 to 2018. This policy was reviewed to reflect the General Data Protection Regulation (GDPR), which replaces the existing data protection framework under the EU Data Protection Directive.

The policy applies to all school staff, the Board of Management, parents/carers, pupils and others, including prospective or potential pupils and their parents/carers and applicants for staff positions within the school, in so far as the measures under the policy relate to them.

Data will be stored securely, so that confidential information is protected in compliance with relevant legislation. This policy sets out the manner in which personal data and sensitive personal data will be protected by the school.

Rationale:

In addition to its legal obligations under the broad remit of educational legislation, Carrakennedy National School has a legal responsibility to comply with the Data Protection Acts.

This policy explains what sort of data is collected, why it is collected, for how long it will be stored and with whom it will be shared. As more and more data are generated electronically, and as technological advances enable the easy distribution and retention of this data, the challenge of meeting the school's legal responsibilities has increased.

The school takes its responsibilities under data protection law very seriously and wishes to put in place safe practices to safeguard individual's personal data. It is also recognised that recording factual information accurately and storing it safely facilitates an evaluation of the information, enabling the Principal and Board of Management to make decisions in respect of the efficient running of the school. The efficient handling of data is also essential to ensure that there is consistency and continuity where there are changes of personnel within the school and Board of Management.

Scope:

The Data Protection Policy applies to all school staff, the Board of Management, parents/carers, pupils (past and present) and others, including prospective or potential pupils and their parents/carers, and applicants for staff positions in the school in so far as the

school handles or processes their personal data in the course of their dealings with the school.

Relationship to characteristic spirit of the school:

Carrakennedy National School is a Catholic, co-educational school. It is a child-centred and democratically-run school. It seeks to enable each student to develop their full potential; provide a safe and secure environment for learning; and promote respect for all pupils and their families.

We aim to achieve these goals while respecting the privacy and data protection rights of pupils, staff, parents/carers and others who interact with us. The school wishes to achieve such while fully respecting individuals' rights to privacy and rights under the Data Protection Acts.

Data Protection Terms and Definitions:

In order to properly understand the school's obligations, there are some key terms which should be understood by all relevant school staff:

Data Protection Acts. The Data Protection Acts 1988 to 2018 confer rights on individuals as well as responsibilities on those persons handling, processing, managing and controlling, personal data. All school staff must comply with the provision of the Data Protection Acts when collecting and storing personal information. This applies to personal information relating both to employees of Carrakennedy National School and to individuals who interact with Carrakennedy National School.

Data Protection legislation applies to the keeping and processing of personal data, both in manual and electronic form. The purpose of this policy is to assist the school to meet its statutory obligations, to explain those obligations to school staff, and to inform staff, pupils and their parents/carers how their data will be treated.

Data means information in a form that can be processed. It includes both automated data and manual data. Automated data means any information on computer, or information recorded with the intention that it be processed by computer. Manual data means information that is kept/recorded as part of a relevant filing system or with the intention that it form part of a relevant filing system.

Relevant filing system means any set of information that, while not computerised, is structured by reference to individuals or by reference to criteria relating to individuals, so that specific information is accessible.

Personal data means any information relating to an identified or identifiable natural person ("Data subject"). An identifiable natural person is one who can be identified, directly or indirectly, in particular by an identifier such as a name, an identification number, location

data, an online identifier or by one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Special Categories of Data relates to specific categories of data which are defined as data relating to a person's: racial or ethnic origin, political opinions or religious or philosophical beliefs; membership of a trade union; physical or mental health, sexual life and sexual orientation; commission of an offence.

Data controller means any natural or legal person, public authority, agency or body which, alone or jointly with others, determines the purposes and means of the processing of personal data. This means any organization or person holding personal data about any individual. In this instance, the data controller is the Board of Management of Carrakennedy National School.

Data subject means an individual who is the subject of personal data

Data processing means performing any operation or set of operations on data, including: obtaining, recording or keeping data, collecting, organizing, storing, altering or adapting data, retrieving, consulting or using data, disclosing the data by transmitting, disseminating, or otherwise making it available, aligning, combining, blocking, erasing or destroying data.

Data processor is a person who processes personal information on behalf of a Data Controller, but does not include an employee of a data controller who processes such data in the course of their employment. In this instance, this refers to Aladdin Schools, i.e. an organization to which the data controller outsources work. Note: The Data Protection Acts place responsibilities on such entities in relation to their processing of data.

Policy statement:

1. Data Principles

The school is a data controller of personal data relating to its past, present and future staff, pupils, parents/carers and other members of the school community. As such, the school is obliged to comply with the principles of data protection as follows:

1.1 Obtain and process personal data fairly:

Information on pupils is gathered with the help of parents/carers and staff. Information is also transferred from their previous schools. In relation to information the school holds on other individuals (members of staff, individuals applying for positions within the school, parents/carers of pupils, etc.), the information is generally furnished by the individuals themselves with full and informed consent and compiled during the course of their employment or contact with the school. All such data is treated in accordance with the

relevant Data Protection legislation and the terms of this Data Protection Policy. The information will be obtained and processed fairly.

1.2 Keep it only for one or more specified and explicit lawful purposes:

Carrakennedy National School will inform individuals of the reasons they collect their data and will inform individuals of the uses to which their data will be put. All information is kept with the best interest of the individual in mind at all times.

1.3 Process it only in ways compatible with the purposes for which it was given initially:

Data relating to individuals will only be processed in a manner consistent with the purposes for which it was gathered. Information will only be disclosed on a need to know basis, and access to it will be strictly controlled.

1.4 Keep personal data safe and secure:

Only those with a genuine reason for doing so may gain access to the information. Sensitive personal data is securely stored under lock and key in the case of manual records and with password protection in the case of electronically stored data. In this regard, the school uses Aladdin Schools as a Management Information System. Aladdin Schools is a secure software service application which is owned and run by Cloudware Ltd. (T/A Aladdin Schools). Portable devices storing personal data, such as laptops, must be encrypted and password protected before they are removed from the school premises. Confidential information will be stored securely and in relevant circumstances, it will be placed in a separate file which can easily be removed if access to general records is granted to anyone not entitled to see the confidential data.

1.5 Keep personal data accurate, complete and up-to-date:

Pupils, parents/carers, and/or staff should inform the school of any change which the school should make to their personal data and/or sensitive personal data to ensure that the individual's data is accurate, complete and up to date. Once informed, the school will make all necessary changes to the relevant records. The Principal may delegate such updates/amendments to another member of staff. However, records must not be altered or destroyed without proper authorisation. If alteration/correction is required, then a note of the fact of such authorisation and the alteration(s) to be made to any original record/documentation should be dated and signed by the person making that change.

1.6 Ensure that it is adequate, relevant and not excessive:

Only the necessary amount of information required to provide an adequate service will be gathered and stored.

1.7 Retain it no longer than is necessary for the specified purpose or purposes for which it was given:

Data will be retained for no longer than is necessary for the specified purpose or purposes for which it was given. See Appendix 1 for Data retention periods.

1.8 Provide a copy of their personal data to any individual, on request:

While Carrakennedy National School is not subject to the Freedom of Information Acts 1997-2003, the school is subject to data protection legislation. Data subjects have a right to access all data relating to them, including written notes. (See school's Data Access Procedures policy.)

2. Personal data:

The *personal data* records held by the school may include:

2.1 Staff records:

(a) **Categories of staff data:** As well as existing members of staff (and former members of staff), these records may also relate to applicants applying for positions within the school, trainee teachers and teachers under probation. These staff records may include:

- Name, address and contact details, PPS number
- Original records of application and appointment to promotion posts
- Details of approved absences (career breaks, parental leave, study leave, etc.)
- Details of work record (qualifications, classes taught, subjects, etc.)
- Details of any accidents/injuries sustained on school property or in connection with the staff member carrying out their school duties
- Records of any reports the school (or its employees) have made in respect of the staff member to State departments and/or other agencies under mandatory reporting legislation and/or child-safeguarding guidelines (subject to the DES child protection procedures)
- Details of complaints and/or grievances including consultations or competency discussions, action/improvement/evaluation plans and record of progress.

(b) **Purposes:** Staff records are kept for the purposes of:

- the management and administration of school business (now and in the future)
- to facilitate the payment of staff, and calculate other benefits/ entitlements (including reckonable service for the purpose of calculation of pension payments, entitlements and/or redundancy payments where relevant)
- to facilitate pension payments in the future
- human resources management

- recording promotions made (documentation relating to promotions applied for) and changes in responsibilities, etc.
 - to enable the school to comply with its obligations as an employer, including the preservation of a safe, efficient working and teaching environment; and including complying with its responsibilities under the Safety, Health and Welfare At Work Act 2005
 - to enable the school to comply with requirements set down by the Department of Education and Skills, the Revenue Commissioners, the National Council for Special Education, Tusla, the HSE, and any other governmental, statutory and/or regulatory departments and/or agencies
 - and for compliance with legislation relevant to the school.
- (c) **Location:** In a secure, locked filing cabinet or electronic database, that only personnel who are authorised to use the data can access. Employees are required to maintain the confidentiality of any data to which they have access.
- (d) **Security:** There is a mix of manual and electronic records. Manual records are stored in a locked filing cabinet. Electronic records are stored with appropriate password protection, with appropriate electronic security measures in place.

2.2 Pupil records:

(a) Categories of pupil data:

These may include:

- Information which may be sought and recorded at enrolment and may be collated and compiled during the course of the pupil's time in the school. These records may include:
 - name, address and contact details, PPS number, date and place of birth
 - names and addresses of parents/guardians and their contact details, including any special arrangements with regard to guardianship, custody or access
 - whether English is the pupil's first language and/or whether the pupil requires English language support, any relevant special conditions, for example, special educational needs, health issues, etc., which may apply
- Information on previous academic record, including reports, references, assessments and other records from any previous school(s) attended by the pupil
- Psychological, psychiatric and/or medical assessments
- Attendance records
- Photographs and recorded images of pupils, including at school events and noting achievements

- Academic records – subjects studied, class assignments, assessment results as recorded on official school reports
- Records of significant achievements
- Whether the student is exempt from studying Irish
- Records of disciplinary issues/investigations and/or sanctions imposed
- Other records, for example, records of any serious injuries/accidents, etc.
- Records of any reports the school (or its employees) have made in respect of the pupil to State departments and/or other agencies under mandatory reporting legislation and/or child safeguarding guidelines, subject to the DES child protection procedures.

(b) **Purposes:** The purposes for keeping pupil records are:

- to administer education to each pupils
- to enable each pupil to develop to their full potential
- to comply with legislative or administrative requirements
- to ensure that eligible pupils can benefit from the relevant additional teaching or financial supports
- to enable parents/guardians to be contacted in the case of emergency or in the case of school closure, or to inform parents/guardians of their child's educational progress or to inform parents of school events, etc.
- to meet the educational, social, physical and emotional requirements of the pupil
- photographs and recorded images of pupils are taken to celebrate school achievements, compile yearbooks, for use on our school website, to record school events, and to keep a record of the history of the school.
- to ensure that the pupil meets the school's admission criteria
- to ensure that pupils meet the minimum age requirements for their class
- to ensure that any pupil seeking an exemption from Irish meets the criteria in order to obtain such an exemption from the authorities
- to furnish documentation/ information about the student to the Department of Education and Skills, the National Council for Special Education, Tusla, and other schools, etc., in compliance with law and directions issued by government departments. Section 28 of the Education Welfare Act 2000 allows for personal data to be transferred to other schools, the DES, the NCSE, and Tusla. Principals of primary schools furnish secondary schools (which have confirmed enrolment of pupils concerned) with 'Education Passports', which include a copy of the end-of-year report card and information from standardized literacy and numeracy completed in sixth class.
- to furnish, when requested by the pupil (or their parents/guardians in the case of a pupil under 18 years) documentation/information/references to second level educational institutions