

- (c) **Location:** In a secure, locked filing cabinet 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.

2.3 Board of management records:

- (a) **Categories of Board of Management data:** These may include:
 - Name, address and contact details of each member of the Board of Management, including former members of the Board of Management
 - Records in relation to appointments to the board
 - Minutes of Board of Management meetings
 - Correspondence to and from the Board of Management which may include references to particular individuals.
- (b) **Purposes:** To enable the Board of Management to operate in accordance with the Education Act 1998 and other applicable legislation and to maintain a record of Board of Management appointments and decisions.
- (c) **Location:** In a secure, locked filing cabinet and that only personnel who are authorised to use the data can access it. Employees are required to maintain the confidentiality of any data to which they have access.
- (e) **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.

2.4 Other records

The school will hold other records relating to individuals. The format in which these records will be kept are manual record (personal file within a relevant filing system), and/or computer record (Aladdin Schools). Some examples of the type of other records which the school will hold are set out below.

Creditors

- (a) **Categories of data:** the school may hold some or all of the following information about creditors (some of whom are self-employed individuals):
- name
 - address
 - contact details
 - PPS number
 - tax details
 - bank details and
 - amount paid.
- (b) **Purposes:** This information is required for routine management and administration of the school's financial affairs, including the payment of invoices, the compiling of annual financial accounts and complying with audits and investigations by the Revenue Commissioners.
- (c) **Location:** In a secure, locked filing cabinet 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

CCTV Images/recording

- (a) **Categories:** CCTV is installed in some schools, externally i.e perimeter walls/fencing and internally as detailed in a schools CCTV policy. These CCTV systems may record images of staff, students and members of the public who visit the school premises.
- (b) **Purposes:** For the safety and security of staff, students and visitors and to safeguard school property and equipment.
- (c) **Location:** Cameras are located externally as detailed in the CCTV policy. Recording equipment is located in the store room located off the office.
- (d) **Security:** Access to images/recordings is restricted to the principal, deputy principal, BOM safety representative and school secretary. Recording are retained for 28 days, except if required for the investigation of an incident. Images/recordings may be viewed or made available to An Garda Síochána pursuant to Section 8 of the Data Protection Acts 1988 and 2003 and the new GDPR Regulations.

Assessment Records

- (a) **Categories:** The school holds data comprising assessment records in respect of its students. These include continuous assessment and class, annual, screening, diagnostic and standardised tests.
- (b) **Purposes:** The main purpose for which these results and other records are held is to monitor pupil progress and to provide a sound basis for advising them and their parents/carers of such. The data may also be aggregated for statistical/reporting purposes, such as to compile results tables. The data may be transferred to the Department of Education and Skills, the National Council for Curriculum and Assessment and other similar bodies.
- (c) **Location:** In a secure, locked filing cabinet 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

3. Rights of Data Subjects and Dealing with Data Access Requests

The Data Protection legislation enables parents and pupils to enquire whether schools are processing information about them and, if so, to access that information. It enables these individuals to ensure that personal information about them is being fairly processed and if not, to have that personal information rectified or erased.

See Data Access Request Procedures Policy for information on the process of such.

4. Providing information over the telephone

In our school, employees dealing with telephone enquiries should be careful about disclosing any personal information held by the school over the phone. In particular the employee should:

- Check the identity of the caller to ensure that information is only given to a person who is entitled to that information
- Suggest that the caller put their request in writing if the employee is not sure about the identity of the caller and in circumstances where the identity of the caller cannot be verified
- Refer the request to the principal for assistance in difficult situations.
- Employees are not obliged to disclose personal information over the phone if they feel uncomfortable in doing so.
- With regard to requests for data access, the Data Access Requests Procedures Policy should be adhered to.

Related documentation - other legal obligations:

Implementation of this policy takes into account the school's other legal obligations and responsibilities. Some of these are directly relevant to data protection, for example:

- Under section 9(g) of the Education Act 1998, the parents of a pupil, or a pupil who has reached the age of 18 years, must be given access to records kept by the school relating to the progress of the student in their education
- Under section 20 of the Education (Welfare) Act 2000, the school must maintain a register of all pupils attending the school
- Under section 20(5) of the Education (Welfare) Act 2000, a principal is obliged to notify certain information relating to the child's attendance in school and other matters relating to the child's educational progress to the principal of another school to which a student is transferring
- Under section 21 of the Education (Welfare) Act 2000, the school must record the attendance or non-attendance of pupils registered at the school on each school day.
- Under section 28 of the Education (Welfare) Act 2000, the school may supply personal data kept by it to certain prescribed bodies (the Department of Education and Skills, Túsla, the National Council for Special Education, other schools, other centres of education) provided the school is satisfied that it will be used for a "relevant purpose", which includes recording a person's educational or training history or monitoring their educational or training progress in order to ascertain how best they may be assisted in availing of educational or training opportunities or in developing their educational potential; or for carrying out research into examinations, participation in education and the general effectiveness of education or training.
- Under section 14 of the Education for Persons with Special Educational Needs Act 2004, the school is required to furnish to the National Council for Special Education, and its employees, which would include Special Educational Needs Organisers, SENOs, such information as the council may from time to time reasonably request.

- The Freedom of Information Act 1997 provides a qualified right to access to information held by public bodies which does not necessarily have to be "personal data" as with data protection legislation. While schools are not currently subject to freedom of information legislation, if a school has furnished information to a body covered by the Freedom of Information Act, such as the Department of Education and Skills, etc., these records could be disclosed if a request is made to that body.
- Under section 26(4) of the Health Act 1947, a school shall cause all reasonable facilities, including facilities for obtaining names and addresses of pupils attending the school, to be given to a health authority who has served a notice on it of medical inspection, for example, a dental inspection.
- Under Children First: National Guidance for the Protection and Welfare of Children 2017, published by the Department of Children and Youth Affairs, schools, their Boards of Management and their staff have responsibilities to report child abuse or neglect to Tusla - the Child and Family Agency, or in the event of an emergency and the unavailability of Tusla, to An Garda Síochána.

Links to other policies:

This Data Protection policy has links to a number of other relevant school policies in Carrakennedy National School, including;

- Data Access Requests Procedures Policy
- Data Protection Privacy Statement
- Child Protection Policy
- Anti-Bullying Policy
- Garda Vetting Policy
- Code of Behaviour
- Enrolment Policy
- Substance Use Policy
- ICT Acceptable Usage Policy
- SPHE policy

Implementation arrangements, roles and responsibilities:

In Carrakennedy National School, the Board of Management is the data controller. The Principal is responsible for coordinating the implementation of this Data Protection Policy and for ensuring that staff who engage in data-processing activities are familiar with their data protection responsibilities and the procedures as set out in this policy.

The following personnel have responsibility for implementing the Data Protection Policy:

Name	Responsibility
Board of management:	Data Controller
Principal:	Implementation of Policy
Teaching personnel:	Awareness of responsibilities
Administrative personnel:	Security, confidentiality
IT personnel:	Security, encryption, confidentiality

Policy review:

This data protection policy was first ratified by the BOM in June 2015. It was then circulated to all parents/guardians. It was reviewed in 2018 and updated to reflect new GDPR Regulations.

This policy will be reviewed as necessary, and particularly to comply with any relevant changes to DES guidelines and circular or legislation.

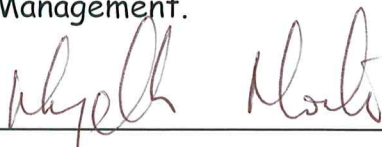
Ratification, communication and implementation:

This policy was ratified and adopted by the Board of Management of Carrakennedy National School on 5/12/18

All staff members are familiar with the Data Protection Policy and are ready to put it into practice in accordance with the specified implementation arrangements. This policy will be read through at the first staff meeting of each school year to remind staff members of their roles in relation to data protection. All concerned will be made aware of any changes implied in recording information on students, staff and others in the school community.

Parents/guardians and students will be informed of the Data Protection Policy from the time of enrolment of their child. A copy of the policy will be published on the school website.

The implementation of the policy shall be monitored by the Principal and the Chairperson of the Board of Management.

Signed:  Chairperson of BOM

Signed: Aideen M'Paul Principal

Date: 5/12/18

Appendix 1: Data Retention Periods for schools

Pupil Related	Retention Periods
School Register/Roll Books Enrolment Forms Disciplinary notes Test Results – Standardised Psychological Assessments etc. SEN Files/IEPS Accident Reports Child Protection Reports/Records S.29 Appeals	Indefinitely Hold until Pupil is 25 Years Never Destroy Hold until pupil is 25 Years Never Destroy Never Destroy Never Destroy Never Destroy Never Destroy
Interview Records	Retention Periods
Interview Board Marking Scheme Board of Management notes (for unsuccessful candidates)	18 months from close of competition plus 6 months in case Equality Tribunal needs to inform school that a claim is being taken
Staff Records	Retention Periods
Contract of Employment Teaching Council Registration Vetting Records Accident/Injury at work Reports	Retention for duration of employment + 7 years (6 years to make a claim against the school plus 1 year for proceedings to be served on school)
Board of Management Records	Retention Periods
BOM Agenda and Minutes CC TV Recordings Payroll & Taxation Invoices/receipts Audited Accounts	Indefinitely 28 days normally. In the event of criminal investigation – as long as is necessary Revenue require a 6-year period after the end of the tax year Retain for 7 Years Indefinitely
<p><i>Why, in certain circumstances, does the Data Protection Commission recommend the holding of records until the former pupil has attained 25 years of age?</i></p> <p><i>The reasoning is that a pupil reaches the age of majority at 18 years and that there should be a 6-year limitation period in which it would be possible to take a claim against a school, plus 1 year for proceedings to be served on a school. The Statute of Limitations imposes a limit on a right of action so that after a prescribed period any action can be time barred.</i></p>	