



Data Protection Policy

Bekan National School

DATA PROTECTION POLICY

Introduction:

The purpose of the policy is to identify the records required to be retained by St. Joseph's National School and to ensure confidentiality and manageable procedures in relation to access to such records by parents, staff and other stake holders. This document takes account of the General Data Protection Regulation which came into effect on the 25th of May, 2018

Rationale:

- A policy on data protection and record keeping is necessary to ensure that the school has proper procedures in place in relation to accountability and transparency
- It is good practice to record pupil progress so as to identify learning needs
- A policy must be put in place to ensure a school complies with legislation, such as:
 - General Data Protection Regulation, 2018
 - Education Act 1998
 - Education Welfare Act 2000
 - Data Protection Act 2003
 - Freedom of Information Act 1997
 - The National Strategy to improve Literacy and Numeracy among Children and Young People 2011 – 2020

Details of arrangements in place to ensure compliance with the eight rules of data protection:

The policy will be implemented so as to ensure that all personal data records held by the school are obtained, processed, used and retained in accordance with the following eight rules of data protection (based on the Data Protection Acts):

1. Obtain and process information fairly;
2. Keep it only for one or more specified, explicit and lawful purposes;
3. Use and disclose it only in ways compatible with these purposes;
4. Keep it safe and secure;
5. Keep it accurate, complete and up-to-date;
6. Ensure that it is adequate, relevant and not excessive;
7. Retain it for no longer than is necessary for the purpose or purposes;
8. Give a copy of his/her personal data to that individual on request.

This document also gives effect to the rights conferred by the GDPR, namely:

- the right to be informed;
- the right of access;
- the right to rectification;
- the right to be forgotten;

- the right to restrict processing;
- the right to data portability;
- the right to compensation & liability

Aims/Objectives:

- To ensure the school complies with legislative requirements
- To clarify the types of records maintained and the procedures relating to making them available to the relevant bodies
- To put in place a proper recording and reporting framework on the educational progress of pupils
- To establish clear guidelines on making these records available to parents and pupils over 18 years of age.
- To stipulate the length of time records and reports will be retained

Relationship to characteristic spirit of the school

This policy was drawn up in accordance with the ethos of St. Joseph's National School, Began.

Mission Statement

St. Joseph's National School, under the patronage of the Catholic Archbishop of the Archdiocese of Tuam, is committed to enabling and assisting all students and staff to achieve their full potential in an atmosphere of mutual co-operation while respecting all differences of ability, culture, race or language.

Guidelines:

The Principal assumes the function of data controller and supervises the application of the Data Protection Act within the school. The data under the control of the Principal comes under the following headings.

DATA COMPILED

A. Personal Data:

This data relates to personal details of the students such as the name, address, date of birth, gender, family status, parent(s)' place of employment, ethnic origin, nationality, religious belief, medical details, dietary information, PPSN, home telephone and mobile contact details. It also includes the names of students' parent(s)/guardian(s). This information is included in the school's admin software (Aladdin) and on School Enrolment Forms. These

forms are kept in the Secretary's Office. Information such as name, address, contact numbers and registration numbers on pupils are stored in both hard and soft copy format. Information on data base is password protected.

All those affected shall be informed, in writing, of the data that is to be stored on them. This will be included in enrolment forms for prospective students or upon taking up employment for staff.

1. Student Records:

Student records outlined below are held by each class teacher and also in the office.

Such student records contain:-

- Personal details of the student
- School report cards
- Attendance Records
- Whether the student has been granted exemption for the study of Irish.
- Teacher-designed tests. Each class teacher designs his/her own test template
- Individual Education Plans, Individual Pupil Learning Plans and records of meetings with the stakeholders regarding these plans
- Learning Support/Resource Data such as records of permissions/refusals to allow children access to LS/RT services in the school
- Portfolios of student work e.g. Projects/Art and achievements on diagnostic tests.

The following records are stored securely in the Principal's Office

- Psychological Assessments
- Assessment results carried out by professionals to assist teaching and learning (e.g. results of psychiatric reports; occupational therapy reports; speech and language assessments; etc.).
- Standardised Test Results
- Screening Tests such as M.I.S.T., N.R.I.T., etc.
- Diagnostic Tests Reports
- Individual Education Plans, Individual Pupil Learning Plans and records of meetings with the stakeholders regarding these plans.
- Child Protection concerns and HSE referrals
- Minutes of HSE Child Protection Conferences.

2. Board of Management records:

These include:

- Name, address and contact details of each member of the Board of Management (the Board)
- Records in relation to appointments to the Board
- Minutes of Board meetings and correspondence to the Board which may include references to particular individuals.

Minutes, reports and correspondence relating to the Board are kept locked in the Principal's office. Child Protection matters reported to the Board will not identify a pupil by name except in exceptional circumstances.

Administrative Data:

The following data is retained:

- Attendance Reports, Roll Book, Registers; Class files; Pupil Profile files; Enrolment applications; baptismal certificate copy (where applicable); birth certificate copy, passport copy if necessary.
- Correspondence between parents and teachers.
- Accident Report Book detailing injury and treatment applied
- Administration of Medicines Indemnity Forms
- Records of books rented under book-rental scheme
- Pupil behavior records and Records of allegations/ incidents of bullying and alleged bullying;(manually recorded notes), (kept in Principal's Office)
- Records kept in line with Children First Procedures (Child Protection) (kept in Principal's Office)

B. Staff Data

Staff records include name, address, contact details, payroll number, PPSN, qualifications, records of interview procedures, results of interview process, Interview board recommendations to the Board, Board recommendations to the Archbishop, contracts, pension details, references, curricula vitae, job applications, attendance records, Teaching Council registration, Garda vetting, Statutory Declaration if necessary, and medical fitness to teach certification. Access is restricted to the Principal and Secretary. Records are destroyed by way of shredding when no longer required.

These records are kept in the office. Attendance details are recorded on the OLCS system, are password protected and are accessed by the Secretary, the Principal and the Chairperson of the Board of Management if necessary. Staff may request, in writing, access to data pertaining to them.

C. Students' Attendance Records

Pupils' attendance shall be recorded and stored on Aladdin.

D. Student Records:

Student records maintained under the Data Protection Policy shall include:

1. ***School Report Booklets***. An annual progress report is issued to each child's parent/guardian at the end of the school year. A copy of this report is available on request to a parent who resides at a different address. These reports are securely stored in the pupils file in a locked filing cabinet in their classroom..
2. ***Psychological Assessments***. Reports issued following psychological assessment are securely stored in the Principal's Office. Reports issued following other assessments such as Occupational Therapy, Speech & Language, Medical etc are also stored in the Principal's Office.
3. ***Standardised Test Results***. Standardised Tests in English and Mathematics are administered in May to all classes from First Class to Sixth Class. Class Record Sheets are securely stored by the Class Teacher and SET. The Principal will also retain a copy of class record sheets. Standardised Test results are included in the

Annual Summer Report to be completed at the end of the school year and stored in the Principal's Office. Test booklets summary page are stored by class teacher in pupils file.

4. **Screening Tests.** The MIST (Middle Infant Screening Test) Assessment is administered to all Senior Infant children in February/March of each year. Class record sheets are securely stored by the class teacher and the Principal. MIST Test Results are included in the Annual Summer Report to be completed at the end of the school year and stored in the Principal's Office. Belfield Infant Assessment Test is administered in May. Results are communicated to parents and kept on file. Pupils in second class undertake the NNRIT in February. Parental consent is sought for this test. Results are kept on pupil's file.
5. **Teacher – designed tests.** Results of teacher designed tests are securely stored by the teacher.
6. **Diagnostic Test Reports.** Diagnostic tests are administered by the SET. Results from these assessments are securely stored by the relevant teachers and details are also included in records kept by the Principal.
7. **Special Educational Needs.** Classroom Support Plans, School Support Plans and Individual Education Plans will be completed by relevant teachers for children with Special Educational Needs. Copies will be securely stored by teachers, relevant Support Teachers and a copy included in the Principal's records. Reports are also on file on Aladdin.
8. **Learning Support/Resource Data** such as records of consent/refusal to allow diagnostic testing or access to Learning Support Teacher/Resource Teacher services in the school. These records are securely stored by the relevant teacher.
9. **Class Records.** Class records are updated regularly. Class record sheets are stored securely in class folders in teachers' classrooms.
10. **Portfolios** of student work e.g. Art, Written work are stored securely by the Class Teacher. Pupil's work is also stored on Google Classroom/ Seesaw learning platforms. This is password protected.
11. **Attendance Records.** Attendance of pupils is recorded on Aladdin by the Class Teacher. Attendance details are included in school's computerized data management system (Aladdin). Computerised records are securely stored in a password protected folder.
12. **Record of child's breaches of Code of Behaviour.** Incidents of misbehavior in the playground are recorded on White Cards and stored in the Principal's office. Each Class Teacher keeps a record of classroom incidents. The Principal maintains a record of incidents brought to his attention. Incidents of serious misbehavior resulting in a Green, Yellow or Red Cards and Suspensions are recorded and duplicated with a copy retained by the Class Teacher and the Principal.
13. **Records of serious injuries/accidents.** The accident Report Book is securely stored in the Principal's office. The teacher in charge records details of accidents and injuries sustained and action taken. Such records are signed by the Principal.
14. **Indemnity Form for Administration of Medicine.** These forms are retained in the pupils file in a locked cabinet in their classroom.
15. **Certificates of Exemption from the Study of Irish.** Copies of certificates are securely stored by the Principal.

Storage:

Records are securely stored in locked filing cabinets in classrooms and in secure cabinets in the office. Older records may be stored in a locked press in the storage room if the need arises. Records shall be retained until pupils attain the age of 21 years. In the case of children with Special Educational Needs, records shall be stored until they attain the age of 24 years. All completed School Roll Books, and Leabhar Tinrimh are stored in locked press in storage room together with Accident Report Books and Incident/Bullying Report Books. Access to these files is restricted to authorised personnel only. For computerised records, systems are password protected.

ACCESS TO DATA

Access to Records by specified third parties:

The following will have access where relevant and appropriate to the data listed above where pupils are identified by name:

- Parents/Guardians
- Past Pupils over 18
- Health Service Executive staff
- National Educational Psychological Service
- National Education Welfare Board
- Occupational Therapists or Speech Therapists working with pupils
- Designated School Personnel
- Department of Education and Skills (where necessary)
- First and Second level schools (where relevant)
- School Board of Management

With the exception of child protection-related data which is governed by “Children’s First Guidelines and Procedures 2011”, data on attendance, (governed by NEWB) and data regarding achievements in literacy and numeracy, (governed by National Strategy for literacy and numeracy), parental authorization must be provided by parents in the event of data being transferred to external agencies. External agencies requesting access to records must do so in writing. Parents/Guardians of current pupils can make such a request in writing. Past pupils and parents of past pupils seeking data must do so in writing.

The Annual School Report format and its communication to parents are outlined clearly in our schools Assessment and Records Policy/ Communication policy. A standardised school report form is used, which is issued by post in June to all parents along with results of standardized testing of pupils from Infants to 6th classes.

Access to Personal Data:

A parent may apply for access to their records until the child reaches the age of 18 years. A past pupil may apply for access to their own records from the age of 18 years to 21 years, or 24 years if so retained where the student has Special Educational Needs.

A written application will be required, accompanied by a form of identification and Birth Certificate. Records will be provided within 21 days.

Data shall be erased where the data subject has reached the ages outlined above, unless the student is the subject of Individual Education Plans, Behavioural Plans or other cases where there have been reported issues regarding the student.

A staff member may apply for access to their records in writing, which will be provided within 21 days. Staff data will be erased five years after ceasing employment in the school.

Transfer of Student Records:

A parental authorization form must be completed by parents in the event of data being transferred to outside agencies, including other Primary Schools and Secondary Schools. When a pupil transfers to another Primary School the new school will notify the original school and the original school will transfer records of attendance and educational progress to them. A standard School Report Form is used for this purpose.

CCTV DATA USAGE:

CCTV cameras are in operation at the following points in the school;

A. Externally:

1. Two cameras in front of the school monitoring entrance to school and playground
2. One camera in the senior playground at the south side of the school
3. One camera in infant playground at to the rear of the school
4. One camera in the north yard

Use of CCTV Images:

The use of this CCTV system is intended primarily to ensure the security of the school premises and its contents. The CCTV system may be used to capture images of intruders or of individuals damaging property or removing goods without authorisation. The CCTV may also be used in circumstances where a pupil or staff member's safety is at risk, or where there has been an allegation of misbehavior made.

A notice informing data subjects that the CCTV system is in operation and the contact details of the monitoring security company will be displayed at the entrance to the school, which will also inform subjects of its purposes.

Images captured by the CCTV system shall be retained on the monitor for one month. In exceptional circumstances images may be retained for a longer duration where an investigation by An Garda Síochána is ongoing or where such images are the subject of court proceedings.

If the Gardaí request CCTV images for a specific investigation, the data controller will satisfy himself that there is a genuine investigation underway. A phone call to the requesting Garda station shall be sufficient, provided that the data controller speaks to a member in the District Office, or a member of An Garda Síochána not below the rank of Sergeant, as all may be assumed to be acting with the authority of a District/Divisional officer in confirming that an investigation is authorised.

Any person whose image has been recorded has the right to be given a copy of the information recorded. To exercise that right, a person must make an application in writing. The data controller shall respond within 30 days.

Applicants must provide necessary information to the data controller, such as the date, time and location of the recording. If the image is of such poor quality as to render the subject unidentifiable, that image may not be considered to be personal data.

In giving a person a copy of his/her data, the data controller may provide a still/series of still pictures, a tape or a disk with relevant images. However, other individuals' images shall be obscured before the data are released.

Success Criteria:

- Compliance with Data Protection Act and Statute of Limitations Act
- Easy access to records
- Framework in place for ease of compilation and reporting
- Manageable storage of records

Roles and Responsibilities:

The school staff, under the direction of the Principal will implement and monitor this policy. The Principal will ensure that records are maintained and securely stored.

Review/Ratification/Communication:

This policy was ratified by the Board of Management on 1st February 2016.

It was reviewed on 9th November 2020

_____,
Chairperson.

Date: _____

_____,
Principal

Date: _____

References:

1. *General Data Protection Regulations 25th May 2018*
2. *Education Act 1998*
3. *Education Welfare Act 2000*
4. *Data Protection Act 2003*
5. *Freedom of Information Act 1997*
6. *Literacy and Numeracy Strategy 2011*