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Cloughjordan No.1 N.S. Data Protection Policy

Introductory Statement

The school's Data Protection Policy applies to the personal data held by the school which is protected by the Data Protection Acts 1988 and 2003 and includes GDPR 2018.

The policy applies to all school staff, the Board of Management, parents/guardians, pupils and others (including prospective or potential pupils and their parents/guardians and applicants for staff positions within the school) insofar 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.

Data Protection Principles

The school Board of Management is a *data controller* of *personal data* relating to its past, present and future staff, pupils, parents/guardians and other members of the school community. As such, the Board of Management is obliged to comply with the principles of data protection set out in the Data Protection Acts 1988 to 2018 and GDPR which can be summarised as follows:

1. Obtain and process Personal Data fairly

Information on students is gathered with the help of parents/guardians 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/guardians of students, 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 Data Protection legislation and the terms of this *Data Protection Policy*. The information will be obtained and processed fairly

2. Consent

Where consent is the basis for provision of personal data, (e.g. data required to join sports team/ a school activity or any other optional school activity) the consent must be a freely-given, specific, informed and unambiguous indication of the data subject's wishes. Cloughjordan No.1 N.S. will require a clear, affirmative action e.g. ticking of a box/signing a document to indicate consent. Consent can be withdrawn by data subjects in these situations

3. Keep it only for one or more specified and explicit lawful purposes

The BoM will inform individuals of the reasons they collect their data and 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

4. 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

5. Keep Personal Data safe and secure

Only those with a genuine reason for doing so may gain access to the information. Personal Data is securely stored under lock and key in the case of manual records and protected with computer software and password protection in the case of electronically stored data.

6. *Keep Personal Data accurate, complete and up-to-date*

Students, parents/guardians, 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. Records must not be altered or destroyed without proper authorization. If alteration/correction is required, then a note of the fact of such authorization and the alteration(s) to be made to any original record/documentation should be dated and signed by the person making that change

7. *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

8. *Retain it no longer than is necessary for the specified purpose or purposes for which it was given*

As a general rule, the information will be kept for the duration of the individual's time in the school. Thereafter, the school will comply with DES guidelines on the storage of Personal Data relating to a student. In the case of members of staff, the school will comply with both DES guidelines and the requirements of the Revenue Commissioners with regard to the retention of records relating to employees. The school may also retain the data relating to an individual for a longer length of time for the purposes of complying with relevant provisions of law and or/defending a claim under employment legislation and/or contract and/or civil law. See School Record Retention table

9. *Provide a copy of their personal data to any individual on request*

Individuals have a right to know and have access to a copy of personal data held about them, by whom, and the purpose for which it is held

The Board of Management as Data Controller is committed to the principles/rights of GDPR:

Article 5 – GDPR Principles

That Personal Data is:

Processed lawfully, fairly and in a transparent manner (**'Lawfulness, Fairness and Transparency'**)

Collected for specific, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.

Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (**'Data' Minimisation'**)

Adequate and, where necessary, kept up to date, every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (**'Accuracy'**)

Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed (personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes and in line with fundamental rights and freedoms) (**'Retention'**)

Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures (**'Integrity and Confidentiality'/Security/Reporting**)

GDPR RIGHTS

8 Fundamental Data Subject Rights: Articles 15-22

Right of access: 1) The right to know whether data concerning him or her are being processed and 2) access to /copy of it (GDPR Article 15);

Right to rectification: When personal data are inaccurate, data subjects have the right for this to be amended (GDPR Article 13);

Right to erase or right to be forgotten: (with some exceptions*) (GDPR Article 17);

Right to restriction of processing: If the data is inaccurate, unlawful or if it is no longer necessary* (GDPR Article 18);

Right to be informed: Providing clear and correct information if any changes to data processing arise (GDPR Article 19);

Right to data portability: The right to copy in full, of all data held by one controller and bring it to another data controller (GDPR Article 20);

Right to object: Data subjects can say they do not want the personal data processing to be done or to continue going on (GDPR Article 21);

Right to not to be subject to a decision based solely on automated processing: (refers to direct marketing – consent required – but do not assume consent in any matter where not confirmed)

Scope

Purpose of the Policy: The Data Protection Acts legislation applies to the keeping and processing of *Personal Data*. The purpose of this policy is to assist the school to meet its statutory obligations, under GDPR 2018, to explain those obligations to School staff, and to inform staff, pupils and their parents/guardians how their data will be treated.

The policy applies to all school staff, the Board of Management, parents/guardians, pupils and others (including prospective or potential students and their parents/guardians, and applicants for staff positions within the school) insofar as the school handles or processes their *Personal Data* in the course of their dealings with the school.

Definition of Data Protection Terms

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

Data means information in a form that can be processed. It includes both *automated data* (e.g. electronic 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 forms part of a relevant filing system.

Personal Data means any data relating to an identified or identifiable natural person i.e. a living individual who is or can be identified either from the data or from the data in conjunction with other information that is in, or is likely to come into, the possession of the Data Controller (BoM)

Data Controller is the Board of Management of the school

Data Subject - is an individual who is the subject of personal data

Data Processing - performing any operation or set of operations on data, including:

- Obtaining, recording or keeping the data,
- Collecting, organizing, storing, altering or adapting the data
- Retrieving, consulting or using the data
- Disclosing the data by transmitting, disseminating or otherwise making it available
- Aligning, combining, blocking or destroying the data

Data Processor - 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, for example, this might mean an employee of an organisation to which the data controller out-sources work. The Data Protection legislation places responsibilities on such entities in relation to their processing of the data.

Special categories of Personal Data refers to *Personal Data* regarding a person's

- Racial or ethnic origin
- Political opinions or religious or philosophical beliefs
- Physical or mental health
- Sexual life and sexual orientation
- Genetic and biometric data
- Criminal convictions or the alleged commission of an offence
- Trade union membership

Personal Data Breach – a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed. This means any compromise or loss of personal data, no matter how or where it occurs

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 relating to a particular individual is readily, quickly and easily accessible.

Rationale

In addition to its legal obligations under the broad remit of educational legislation, the school has a legal responsibility to comply with the Data Protection Acts, 1988 and 2003 and GDPR 2018

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 is 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.

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 pupil 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 students 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, the Child and Family Agency, Tusla, which incorporates the National Education Welfare Board, 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 (“SENsOs”)) 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, e.g. a dental inspection
- Under *Children First: National Guidance for the Protection and Welfare of Children* (2011) published by the Department of Children & Youth Affairs, schools, their Boards of Management and their staff have responsibilities to report child abuse or neglect to TUSLA - Child and Family Agency (or in the event of an emergency and the unavailability of TUSLA, to An Garda Síochána).

Relationship to characteristic spirit of the School (School’s mission/vision/aims)

Cloughjordan No.1 N.S. seeks to

- enable each student to develop their full potential
- provide a safe and secure environment for learning
- promote respect for the diversity of values, beliefs, traditions, languages and ways of life in society.

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

Personal Data

The *Personal Data* records held by the school **may** include:

A. 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
- Email addresses
- 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).

(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 (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 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:** Only those with a genuine reason for doing so may gain access to the information. In the case of manual records Sensitive Personal Data is securely stored in a personal file within a relevant filing system under lock and key in the principal's filing cabinets. Sensitive Personal Data is protected with firewall software and password protected in the case of electronically stored data. Portable devices storing personal data (such as laptops) should be encrypted and password protected before they are removed from the school premises. Devices may not be removed from the school without the permission of the principal. 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.

See **Appendix 1**

B. 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 (postal and email), including Eircodes, of parents/guardians and their contact details (including any special arrangements with regard to guardianship, custody or access)
 - religious belief
 - racial or ethnic origin
 - membership of the Traveller community, where relevant
 - whether they (or their parents) are medical card holders
 - whether English is the student's first language and/or whether the student requires English language support

- any relevant special conditions (e.g. 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 student
- Psychological, psychiatric and/or medical assessments
- Attendance records
- Photographs and recorded images of students (including at school events and noting achievements). See the school's "*Guidance on Taking and Using Images of Children in Schools*"
- Academic record – subjects studied, class assignments, examination results as recorded on official School reports
- Records of significant achievements
- Whether the pupil is repeating a class
- Whether the pupil is exempt from studying Irish
- Records of disciplinary issues/investigations and/or sanctions imposed
- Other records e.g. records of any serious injuries/accidents etc. (Note: it is advisable to inform parents that a particular incident is being recorded).
- 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 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 support the provision of religious instruction
- to enable parents/guardians to be contacted in the case of emergency or in the case of school closure, or to inform parents 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, record school events, and to keep a record of the history of the school. Such records are taken and used in accordance with the school's "*Guidance for Taking and Using Images of Pupils in Schools*"
- to ensure that the pupil meets the school's admission criteria
- to ensure that any pupil seeking an exemption from Irish meets the criteria in order to obtain such an exemption
- to furnish documentation/ information about the pupil to the Department of Education and Skills, the National Council for Special Education, NEPS, TUSLA, and other Schools etc. in compliance with law and directions issued by government departments
- to furnish, when requested by the pupil (or their parents/guardians in the case of a pupil under 18 years) documentation/information/ references to third-level educational institutions and/or prospective employers

(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: Only those with a genuine reason for doing so may gain access to the information. In the case of manual records Sensitive Personal Data is securely stored in a personal file within a relevant filing system under lock and key in the principal's filing cabinets. Sensitive Personal Data is protected with firewall software and password protected in the case of electronically stored data. Portable devices storing personal data (such as laptops) should be encrypted and password protected before they are removed from the school premises. Devices may not be removed from the school without the permission of the principal. 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. Pupil

records are also stored securely in a personal file within a relevant filing system under lock and key in the class/Special Educational Needs teacher's filing cabinet.

C. Board of Management records:

- (a) **Categories of Board of Management data:** These may include:
- Name, postal and email 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 and correspondence to the Board 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 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.
- (d) **Security:** Only those with a genuine reason for doing so may gain access to the information. Manual records are securely stored in a relevant filing system under lock and key in the principal's office. 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.

See **Appendix 1**

D. 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 (database). Some examples of the type of other records which the school will hold are set out below (**this list is not exhaustive**):

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 (email and/or postal)
 - 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:** Only those with a genuine reason for doing so may gain access to the information. In the case of manual records Personal Data is securely stored in a relevant filing system under lock and key in the principal's filing cabinets and/or in the secretary's filing cabinet in the staffroom. Sensitive Personal Data is protected with firewall software and password protected in the case of electronically stored data. Portable devices storing personal data (such as laptops) should be encrypted and password protected before they are removed from the school premises. Devices may not be removed from the school without the permission of the principal. 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.

CCTV images/recordings

- (a) **Categories:** CCTV is installed in *Cloughjordan No.1 N.S.*, externally on the school and internally as detailed in the *CCTV Policy*. These CCTV systems may record images of staff, students and members of the public who visit the premises.
- (b) **Purposes:** Safety and security of staff, students and visitors and to safeguard school property and equipment.
- (c) **Location:** Cameras are located externally and internally as detailed in the *CCTV Policy*. Recording equipment is located in securely, under padlock and key in the strong cupboard in the General Purpose room.
- (d) **Security:** Access to images/recordings is restricted to the chairperson of the Board of Management, the principal & deputy principal of the school. Tapes, DVDs, hard disk recordings 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 Data Protection Acts 1988 and 2003.

Standardised Test results

- (a) **Categories:** The school will hold data comprising standardised test results in respect of its pupils from Senior Infants to Sixth Class. It will also hold data on teacher designed tests throughout the school year.
- (b) **Purposes:** The main purpose for which these results and other records are held is to monitor a pupil's progress and to provide a sound basis for informing them and their parents or guardians about their academic progress. The data may also be aggregated for statistical/reporting purposes, such as to compile results tables. Results of Standardised Tests, in accordance with instructions from the Department of Education and Skills are returned to the Department of Education and Skills at the end of each school year using the OLCS portal.

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.

- (c) **Security:** Only those with a genuine reason for doing so may gain access to the information. Manual records of standardised test results are securely stored in a relevant filing system under lock and key in the principal's filing cabinets. Sensitive Personal Data is protected with firewall software and password protected in the case of electronically stored data. Portable devices storing personal data (such as laptops) should be encrypted and password protected before they are removed from the school premises. Devices may not be removed from the school without the permission of the principal. 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. Pupil records may also be stored securely in a personal file within a relevant filing system under lock and key in the class/Special Educational Needs teacher's filing cabinet.

Distance Learning

In light of the school closure during the Covid-19 pandemic, the following guidelines should be followed in light of remote teaching and learning:

Guidelines for the Board of Management (BoM)

Board of Management meetings which take place via video call, namely Zoom, must record so in the minutes.

Board of Management meetings which take place via video call require confirmation that Board members are participating on their own. Headphones are preferable.

Child Protection Oversight Report documents should not be shared via video call.

A quorum of five is still required in order for a video call Board of Management meeting to take place.

Guidelines for staff members

Communication with parents will take place via staff @cloughjordanno1ns.com email addresses. If staff members need to use their mobile phones to contact parents, they should block their number. Staff should not deviate from the agreed platforms. Staff will ensure that any data being used will be kept safe and secure.

Guidelines for parents

Staff members can be contacted through the platform Seesaw or through their @cloughjordanno1ns.com email addresses

Links to other policies and to curriculum delivery

Our school policies are consistent with one another, within the framework of the overall School Plan. Relevant school policies already in place or being developed or reviewed, shall be examined with reference to the data protection policy and any implications which it has for them shall be addressed.

The following policies may be among those considered:

- *Child Safeguarding Statement & Risk Assessment*
- *Anti-Bullying Policy*
- *Code of Behaviour*
- *Policy on Phones and Electronic Gadgets*
- *Admissions Policy*
- *CCTV Policy*
- *Substance Use Policy*
- *ICT Acceptable Usage Policy*
- *Attendance Strategy Statement*
- *Assessment Policy*
- *Special Education Needs Policy*
- *Critical Incident Policy*

Processing in line with data subject's rights

Data in this school will be processed in line with the data subjects' rights.

Data subjects have a right to:

- (a) Know what personal data the school is keeping on them
- (b) Request access to any data held about them by a data controller
- (c) Prevent the processing of their data for direct-marketing purposes
- (d) Ask to have inaccurate data amended
- (e) Prevent processing that is likely to cause damage or distress to themselves or anyone else.

Personal Data Breaches

All incidents in which personal data has been put at risk must be reported to the Office of the Data Protection Commissioner within 72 hours

When the personal data breach is likely to result in a high risk to the rights and freedoms of natural persons, the BoM must communicate the personal data breach to the data subject without undue delay. If a data processor becomes aware of a personal data breach, it must bring this to the attention of the data controller (BoM) without undue delay.

Dealing with a data access requests

Individuals are entitled to a copy of their personal data on written request. Requests must be responded to within one month. An extension may be required e.g. over holiday periods

No fee may be charged except in exceptional circumstances where the requests are repetitive or manifestly unfounded or excessive.

No personal data can be supplied relating to another individual apart from the data subject.

Section 3 Access Request

Under Section 3 of the Data Protection Acts 1998-2003, an individual has the right to be informed whether the school holds data/information about them and to be given a description of the data together with details of the purposes for which their data is being kept. The individual must make this request in writing and the data controller will accede to the request within 21 days. An extension may be required e.g. over holiday periods

The right under Section 3 must be distinguished from the much broader right contained in Section 4, where individuals are entitled to a copy of their data.

Section 4 Access Request

Access Requests will be dealt with in line with **Article 15 of GDPR 2018**.

Providing information over the phone

In our school, any employee 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
- Ask the caller to 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. No employee should feel forced into disclosing personal information.

Implementation arrangements, roles and responsibilities

In our school the board of management is the data controller and the principal will be assigned the role of co-ordinating implementation of this Data Protection Policy and for ensuring that staff who handle or have access to *Personal Data* are familiar with their data protection responsibilities.

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, security, confidentiality
Administrative personnel:	Awareness of responsibilities, security, confidentiality
Teaching & Administrative personnel:	Security, encryption, confidentiality

Ratification & communication

Ratified by the Board of Management on date underneath, signed by the Chairperson. Secretary recorded the ratification in the Minutes of the meeting.

Parents/guardians and pupils should be informed of the Data Protection Policy from the time of enrolment of the student e.g. by including the Data Protection Policy as part of the Enrolment Pack, by either enclosing it or incorporating it as an appendix to the enrolment form.

Monitoring the implementation of the policy

The implementation of the policy shall be monitored by the principal, staff and the Board of Management.

Reviewing and evaluating the policy

The **Record Keeping and Data Protection Policy** was reviewed and ratified by the Board on the **28th November 2011**.

The **Data Protection Policy** was reviewed and ratified by the Board on **7th March 2016**.

It was reviewed again by the Board on the **11th June 2018**.

It was reviewed by the staff during **2019 - 2020** and again in **2020 – 2021** during the Covid 19 pandemic.

It will be reviewed and evaluated again after 2 years. On-going review and evaluation will take cognisance of changing information, guidelines or circumstances (e.g. from the Data Protection Commissioner, Department of Education and Skills or Tusla), legislation and feedback from parents/guardians, pupils, school staff and others. The policy will be revised as necessary in the light of such review and evaluation and within the framework of school planning.

Ratification

This policy was ratified by the

Board of Management of Cloughjordan No.1 N.S.

on 17th May 2021

*Signed: Terence Mitchell
(Chairperson of Board of Management)*

APPENDIX 1

<i>Pupil Related</i>	<i>Retention Periods</i>
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
<i>Interview Records</i>	
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
<i>Staff Records</i>	
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)
<i>BOM Records</i>	
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> <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>	