

Introduction

This policy was formulated by the school's Board of Management in response to the 'legislative & regulatory checklist' issued by the Department of Education and Skills in 2012. (Ref: *School Self Evaluation Report 1*, Gorey Educate Together NS, May 2013.)

The policy sets out the manner in which personal data on pupils, families, staff and others is kept and how the data concerned is protected.

This policy applies to all school staff, the board of management, parents/guardians, pupils and others insofar as the measures under the policy relate to them.

Rationale

Schools are obliged to comply with the Data Protection Act, 1988 and the Data Protection (Amendment) Act, 2003 (henceforth referred to as the Data Protection Acts.)

Under Section 9(g) of the [Education Act, 1998](#), the parents of a student, or a student 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 his or her education.

Under Section 20 of the [Education \(Welfare\) Act, 2000](#), the school must maintain a register of all students attending the school.

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, or information extracted from such data, to the data controller of another prescribed body if it is satisfied that it will be used for a relevant purpose.

- *Under Section 20 of the [Education \(Welfare\) Act, 2000](#), each school principal must maintain a register with the names of all children attending that school. When a child is transferring from the school, the principal must notify the principal of the new school of any problems relating to school attendance that the child concerned had and of any other matters relating to the child's educational progress that he or she considers appropriate.*
- *Under Section 28 of the Act, schools may supply personal data, or information extracted from such data, to other schools or another prescribed body if they are satisfied that it will be used in recording the student's educational history, monitoring the student's educational progress or developing the student's full educational potential. The bodies which have been prescribed (and so can share information) under Section 28 are:*
 - *The Minister for Education and Science (which includes the Inspectorate and the National Educational Psychological Service (NEPS))*
 - *The National Council for Special Education (NCSE)*
 - *The National Educational Welfare Board (NEWB/Tusla)*
 - *Each school recognised in accordance with section 10 of the Education Act, 1998*
 - *Each place designated by the Minister under section 10 of the Education Act, 1998 to be a centre for education.*
- *With regard to Child Protection & Welfare concerns, data may also be disclosed to the Gardaí, the Child and Family Agency and to the HSE.*
- *Data may also be disclosed when required by law/by court ruling.*

Key Measures

The personal data records held by the school may include:

Staff records: These may include:

- Name, address and contact details, PPS number
- Original records of application and appointment
- Record of appointments to promotion posts
- Details of approved absences (career breaks, parental leave, study leave, etc.)

Format: manual records and computer records.

Key Purposes: to facilitate the payment of staff; to comply with administrative & organisational requirements.

Pupil records: These may include:

- Information which may be sought and recorded at enrolment, including:
 - name, address and contact details, PPS number
 - names and addresses of parents/guardians and their contact details
 - ethnic or national origin (and languages used in the home)
 - any relevant special conditions (e.g. special educational needs, health issues, etc.) which may apply
- Information on previous academic record
- Psychological assessments
- Attendance Records
- Academic records
- Records of disciplinary issues and/or sanctions imposed
- Other records e.g. records of any serious injuries/accidents etc.

Format: manual records and computer records, (including cloud storage via the 'Aladdin Schools' online software service. See www.aladdinschools.ie for security and privacy information.)

Key purposes: to provide for continuity and progression in pupil's educational development; to comply with legislative and administrative requirements.

Board of Management records: These may include:

- Name, address and contact details of each member 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.)

Format: manual and computer records.

Key Purposes: school planning and development; documenting decisions made by the board.

Details of key arrangements to ensure compliance with 'The Eight Rules of Data Protection' (Ref: Data Protection Acts)

This policy makes stakeholders aware of the key purposes of collection of personal information and the agencies/persons to whom the data may be disclosed. (See also 'Sharing of Information' section in *School Guide for Parents and Guardians*, Gorey Educate Together NS.)

Measures are in place to keep data secure. Staff access to data is on a 'need to know' basis. Manual records are stored appropriately. Computer records are password protected. School staff receive advice on the importance of data security.

School registers and roll books (attendance records) are stored indefinitely within the school. Computer records (school reports, etc.) for all pupils are stored until they reach 25 years of age, (ref: six-year limitation period after the person's 18th birthday.) Associated manual records (actual test booklets, etc.) will be destroyed within 2 years of the child leaving the school. Pupils without computer records, (pre-2013 :) manual records will be maintained for 7 years from the date the child left the school. Then they will be destroyed.

Ratification and Implementation:

This policy was ratified by the school's Board of Management at its meeting of 8th October 2014. Implementation will commence on 9th October 2014. This policy will be published on the school website and referenced in the 'School Guide for Parents and Guardians' and the 'Staff Induction Folder.'