

# Gorey Educate Together National School

## Data Protection Statement

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Effective 17<sup>th</sup> January 2019

Individuals have a number of rights in relation to their personal information – i.e. personal data – and these rights have been enhanced by the **General Data Protection Regulation (GDPR)**. This Data Protection Statement describes how we at Gorey Educate Together National School collect and process personal data, in accordance with the GDPR and the school's legal obligations generally in relation to the provision of education. Processing is the legal term used to describe various acts including - the collection, recording, organisation, structuring, storage, alteration, use of, retrieval, disclosure or transmission of information.

This Statement applies to pupils, parents and guardians. By enrolling a child in and/or by her/his attending Gorey Educate Together NS parents and guardians acknowledge and agree to the collection and processing of personal information by the school.

This Statement outlines:

- Who we are and how to contact us;
- What information we collect, process and retain;
- How information is collected and processed and the purpose and legal basis for so doing;
- Sharing of information with third parties;
- Individual legal rights.

### **1. WHO WE ARE AND HOW TO CONTACT US**

Gorey Educate Together NS is a data controller responsible for personal data - i.e. information relating to an identified or identifiable natural person. Gorey Educate Together NS processes personal data, i.e. the school collects, records, stores, retains and uses personal data. Gorey Educate Together NS will respond to your questions in relation to this data protection statement and our approach to privacy. If you have any questions about this data protection statement, including any request to exercise your legal rights, please contact us using the details below:

**Email: [info@goreyeducatetogether.ie](mailto:info@goreyeducatetogether.ie)**

### **2. INFORMATION COLLECTED**

Gorey Educate Together NS may collect the following personal information on pupils and parents/guardians:

#### **(i) Pupil Information**

- Personal details such as name, address, date of birth, gender, PPS number, nationality, emergency contact information and information in relation to the pupil's family as may be required,
- Any Special Education Needs (SEN),
- Any Child Protection information,
- Academic records, school reports, pupil learning needs, pupil behaviour needs, permission for access to educational reports, individual education and learning support plans,

- Personal pupil profiles (including whether English is the pupil's first language or if exempt from any subjects e.g. Irish language),
- Psychological referral/assessment documentation and permission for access to psychological reports,
- Information for the Department of Education's Primary Online Database (POD),
- Information for Special Educational Needs Organiser (SENO),
- Information for TUSLA (the Child and Family Agency) and/or the Health Service Executive (HSE),
- Attendance records and explanatory notes in relation to absences,
- Disciplinary records including notes that may be held by the teacher(s), incident and accident reports, investigations and sanctions if imposed,
- Permission notes in respect of school activities e.g. school tours/trips and outings, extra-curricular activities, (including Curricular, such as Relationships & Sexuality Education Programme(s)),
- Photographs and recorded images of pupil(s) (including at school events),
- School Transport information,
- CCTV footage (limited to school entrances/exits only) and other information obtained through electronic means (i.e. photography and videography (of pupils and their school work) for use on the school website or in the local print media or (in consultation with parents) national or international media.

**(ii) Sensitive Personal Information – Pupils**

Gorey Educate Together NS may collect and process the following special categories of more sensitive personal information such as:

- Information about pupil's health, medical certificates, medical needs, allergies and consent for administration of medicine,
- Child's Religion (optional Department of Education and Skills Primary Online Database request)
- Membership of the Traveller Community (optional Department of Education and Skills Primary Online Database request)
- Racial or Ethnic origin (optional Department of Education and Skills Primary Online Database request.)

**(iii) Parent / Guardian Information**

Gorey Educate Together NS may collect and process the following personal information from parents/guardians such as:

- Contact details of parent / guardian e.g. name, address, email address, telephone number(s)
- Information regarding legal orders in respect of any family law disputes in respect of guardianship, custody or access,
- Work Status and Nationality,
- Number of children, position of pupil(s) in family,
- Consent in respect of medical/other emergencies,
- Consent in respect of school activities e.g. school tours/trips and outings, extra-curricular activities,
- Consent to publish photographs and schoolwork of pupils in national media,
- Records, correspondence or notes arising from interaction with Parents / Guardians.

### **3. PURPOSE & LEGAL BASIS FOR COLLECTING & PROCESSING INFORMATION**

Gorey Educate Together NS collects and processes personal information (as listed above) about pupils and parents / guardians for a variety of purposes and relies on a number of legal grounds to do so. Gorey Educate Together NS requires this information to perform our duties and responsibilities and to comply with our legal and statutory obligations. In addition, Gorey Educate Together NS requires this personal information to pursue the legitimate interests of the school and our dealings with relevant third parties (see below). The legitimate interests upon which we rely is the effective operation and management of Gorey Educate Together NS and managing the education and welfare needs of our pupils. Gorey Educate Together NS processes personal data on the basis of the following lawful purposes:

#### **a) Legal Obligation**

Gorey Educate Together NS collects and process personal information to comply with our legal and statutory obligations, including, but not limited to those under the Education Act 1998 (as Amended), the Education (Welfare) Act 2000, the Education for Persons with Special Needs (EPSEN) Act 2004, the Health Act 1947, the Children First Act 2015, the Child Protection Procedures for Primary and Post-Primary Schools 2017, the Teaching Council Acts 2001-2015 and Safety, Health and Welfare at Work legislation

#### **b) Legitimate Interests**

Gorey Educate Together NS may also process personal information to:

- Enable Pupils to develop to their full potential and meet the educational, social, physical and emotional requirements of the pupil,
- Enable Parents and Guardians to be contacted in the case of emergency, school closures and to inform Parents and Guardians of their child's educational progress,
- Secure and benefit from the support and services of relevant third parties.

#### **c) Consent**

Gorey Educate Together NS sometimes processes some of pupils' personal information with consent e.g. photograph/video which may be shared with national or international media. Please note that consent can be withdrawn at any time by contacting the school.

### **4. HOW PERSONAL INFORMATION IS COLLECTED**

#### **(i) Pupils**

Gorey Educate Together NS collects personal information about pupils through the enrolment process and/or through expressions of interest in relation to enrolment. Additional information is collected from third parties, including former schools and through school activities and general interaction(s) during the course of the pupil's time at Gorey Educate Together NS.

#### **(ii) Parents and Guardians**

Gorey Educate Together NS collects personal information about parents and guardians through the enrolment process or expressions of interest for

enrolment. We collect additional personal information through general interaction during the course of the pupil's time at Gorey Educate Together NS.

## **5. INFORMATION AND THIRD PARTIES**

Gorey Educate Together NS may receive from, share and/or transfer information to a range of third parties such as the following:

- *The Department of Education and Skills*
- *TUSLA / the Child and Family Agency* and/or the Health Service Executive (HSE),
- *The National Council for Special Education*
- *National Educational Psychological Service (NEPS)*
- *Department of Social Protection and/or other state benefit providers*
- *An Garda Síochána*
- *School Insurance Provider*
- *Third Party Service Providers:* We may share personal information with third party service providers that perform services and functions at our direction and on our behalf such as our accountants, IT service providers including, printers, lawyers and other advisors, and providers of security and administrative services, including data processing / cloud storage service providers e.g. the *Aladdin* cloud storage service provider.

## **6. DATA RETENTION**

We will only retain personal information for as long as it is necessary to fulfil the purposes the information was collected for, including any legal, accounting or reporting requirements.

## **7. TRANSFER OF PERSONAL INFORMATION OUTSIDE THE EUROPEAN UNION**

Gorey Educate Together NS may transfer the personal information we collect to countries outside the EU. Where there is no adequacy decision by the European Commission in respect of any such country that means that that country is deemed not to provide an adequate level of protection for your data. However, to ensure personal information does receive an adequate level of protection we will in such circumstances put in place appropriate measures such as the use of model contractual clauses as approved by the European Commission to ensure personal information is treated by those third parties in ways that are consistent with respect to EU and Irish Laws on Data Protection.

## **8. INDIVIDUAL RIGHTS**

Individuals have several rights under GDPR which in certain circumstances are limited and/or constrained. These individual rights include the right – free of charge and subject to any limitations as may apply – to:

- 1.** Request a copy of the personal information held about the individual;
- 2.** Rectify any inaccurate personal data held about the individual;
- 3.** Erase personal information held about the individual;
- 4.** Restrict the processing of individual personal information;
- 5.** Object to the use of individual personal information for our legitimate interests;
- 6.** Receive individual personal information in a structured commonly used and machine-readable format and to have that data transmitted to another data controller.

If you wish to exercise any of these rights please contact us at the school as outlined. Email: [info@goreyeducatetogether.ie](mailto:info@goreyeducatetogether.ie)

Gorey Educate Together NS will endeavour to respond to your request within a month. If we are unable to deal with your request within a month we may extend this period by a further two months and we will explain why.

You also have the right to lodge a complaint to the office of the Data Protection Commission.

## **9. UPDATES**

We will update this data protection statement from time to time. Any updates will be made available and, where appropriate notified to you.

*This statement was ratified by the school's Board of Management 17<sup>th</sup> January 2019.*