

GENERAL DATA PROTECTION REGULATION (GDPR) POLICY



Introduction:

The purpose of the policy is to identify the Records required to be retained by the school and to ensure confidentiality and manageable procedures in relation to access to such records by parents, staff and other stake holders.

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;
 - 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.

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 (school’s mission/vision/aims)

- How does this policy relate to the school’s mission/vision and aims?

St. Conal’s School strives to provide a caring, happy and secure environment where the intellectual, spiritual, physical and cultural needs of the pupils are identified and addressed.

While St. Conal’s is a Catholic School with a Catholic ethos, it has due recognition and respect for all other religious beliefs.

The school models and transmits a way of life inspired by belief in God and in the life, death and resurrection of Jesus Christ. Mary, His mother is admired as the exemplar of these values.

St. Conal’s school will endeavour to enhance the self-esteem of everyone in the school community, to instil in the pupils respect for people and property and will foster in them the idea of being responsible citizens.

St. Conal’s school will promote gender equity amongst staff and pupils.

Our mission will be effective only with the support of parents/guardians.

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

A. Personal Data:

This data relates to personal details of the students such as name, address, date of birth, gender, family status, parents’ 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’ parents/guardians. This information is included in the School Enrolment Form. These forms are kept in the Principal’s Filing Cabinet. Information such as name, address, contact numbers and registration numbers on pupils are stored in both hard and soft copy format.

Student Records:

Student records outlined below are held either by class teachers, Special Education teachers or in the filing cabinets maintained by both the school secretary and principal.

Such student records contain;-

- Personal details of the student
- School report cards
- Attendance Records
- Records of students who have been granted exemption for the study of Irish.
- Teacher-designed tests. Each class teacher designs his/her own test template
- Screening Tests such as M.I.S.T., N.R.I.T., Quest, Dyslexia Screening Tests etc.
- Diagnostic Tests Reports
- Individual Education Plans, Individual Pupil Learning Plans and records of meetings with the stakeholders regarding these plans.
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- Data such as records of permissions/refusals to allow children access to Special Education 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 cabinets.

- 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
- Child Protection concerns and HSE referrals
- Minutes of HSE Child Protection Conferences.

B. Administrative Data:

- 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
- Late arrivals record book
- Records of books rented under book-rental scheme and books borrowed from school library
- Pupil behaviour records and Records of allegations/incidents of bullying and alleged bullying; (manually recorded notes kept in Principal's Filing Cabinets)
- Records kept in line with Children First Procedures (Child Protection) (kept in Principal's Filing Cabinets)

Board of Management records:

These 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

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

Access to Records:

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)
- The 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 authorisation must be provided by parents in the event of data being transferred to outside agencies. Outside 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 using the Data Access Request Form.

The Annual School Report format and its communication to parents are outlined clearly in our schools Assessment and Records Policy. A standardised school report form is used, which is issued by hand in June to all parents, along with results of standardised testing of pupils from 1st to 6th classes.

C. Staff Data

Staff records can include name, address, contact details, payroll number, PPSN, qualifications, records of interview procedures, results of interview process, Interview board recommendations to BOM, BOM recommendations to Bishop, contracts, pension details, references, curriculum vitae, job applications, attendance records, Teaching Council registration, Garda Clearance, Statutory Declaration where necessary, Medical Fitness to Teach. 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 Principal's Filing Cabinets. Attendance details are recorded on the OLCs system, are password protected and are accessed by the Secretary, the Principal, the second Data Approver and the Chairperson of the Board of Management if necessary.

D. Students' Attendance Records:

Pupils' attendance will be recorded and stored in the Roll Books maintained by both the Principal and Secretary.

E. Student Records:

Student records maintained under the Data Protection Policy will 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 booklets are securely stored in the Principal's Filing Cabinets.
2. **Psychological Assessments.** Reports issued following psychological assessment are securely stored in the Principal and Special Education Teachers' Filing Cabinets. Reports issued following other assessments such as Occupational Therapy, Speech & Language, Medical, etc. are also stored in the Principal and Special Education Teachers' Filing Cabinets.
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 Principal and Special Education Teachers. 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 Filing Cabinets. Test Booklets are stored for one school year, after which they are shredded. The results sheet at the rear will be retained.
4. **Screening Tests.** The MIST (Middle Infant Screening Test) Assessment is administered to all Senior Infant children in January of each year. Class record sheets are securely stored by the class teacher and the Special Education Teacher. 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 and Special Education Teachers' Filing Cabinets.
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 Special Education Teachers. 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. Data such as records of consent/refusal to allow diagnostic testing or access to Special Education Teacher services in the school. These records are securely stored by the relevant teacher.
8. **Photographs and Video.** (See Appendix 1) A form is sent out to the parents of new pupils at enrolment seeking consent for the taking of photographs/video of the pupils concerned, along with the conditions of use. This consent form was approved by the Board of Management on September 30th, 2019 and was issued to all parents on October 8th, 2019.
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.
11. **Attendance Records.** Roll Books are filled by the Class Teacher. Attendance details are maintained and secured by the Secretary and Principal.
12. **Record of child's breaches of Code of Behaviour.** Recorded incidents of misbehaviour in the playground are stored in the Principal's Cabinets. Each Class Teacher keeps a record of classroom incidents. The Principal maintains a record of incidents brought to his attention. Incidents of serious misbehaviour resulting in serious sanctions or 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 Medical Cabinet in the Staff Room. The teacher in charge records details of accidents and injuries sustained and action taken.
14. **Indemnity Form for Administration of Medicine.** These forms are retained in the Principal's Cabinets.
15. **Certificates of Exemption from the Study of Irish.** Copies of certificates are securely stored by the Principal's Cabinets.

Storage:

Records are securely stored in the Principal's Room, the Secretary's Office and in the Special Education Teachers' rooms. Older records may be stored in the General Purpose Room as the need arises. Records are stored until pupils reach the age of 21 years. In the case of children with Special Educational Needs, records are stored until they reach the age of 24 years.

All completed school Roll Books, Registers and Leabhair Tinrimhe are stored in the historic archive in the Principal's Cabinet, together with Accident Report Books and Incident/Bullying Reports.

Access to these stored files is restricted to authorised personnel only. For computerised records, computers and laptops are password protected.

Access to Pupil Records:

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.

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

Transfer of Student Records:

A parental authorisation 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. The pupil's record on POD will be amended accordingly.

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 January 21, 2018. It will be subject to review as the need arises. It was again reviewed by the Board of Management on September 30th, 2019.

_____,
Fr. Philip Daly, Chairperson

Date: _____

Appendix 1

GDPR: PHOTOGRAPH-VIDEO CONSENT FORM

Name of Child: **Class:**

Occasionally, we may take photographs of the children at our school. We may use these images as part of our school displays and sometimes in our contribution to the Dúchas Christmas publication. We may also make video for recording school events or as part of a particular lesson. If we use photographs of individual pupils, we will not use the name of that child in the accompanying text or photo caption. If we name a pupil in the text, we will not use a photograph of that child to accompany the article. If a child has won an award and the parent would like the name of their child to accompany their picture, we will obtain permission from the parent before using the image.

From time to time, our school may be visited by the media who will take photographs or film footage of a visiting dignitary or other high profile event. Pupils will often appear in these images, which may appear in local or national newspapers, approved websites or on televised news programmes. To comply with the General Data Protection Regulations (GDPR), we need your permission before we can photograph or make any recordings of your child in the future. Please answer the questions below, then sign and date the form where shown and return the completed form to the school. *Please circle your answer.*

1. May we use your child's photograph in the school's Dúchas article and any other printed publications that we may produce for promotional or marketing purposes? Yes / No
2. May we record your child's image on video for internal school use? Yes / No
3. May your child's image be recorded on video for use by outside media such as RTÉ?
Yes / No
4. Do you consent to your child's image being published in a media/press photograph?
Yes / No
5. Do you consent to your child's image being used within the school for display purposes?
Yes / No
6. Do you consent to your child's image being published on the JMAC website by the school photographer? Yes / No
7. Do you consent to your child's image being retained in the school's historical photographic archive? Yes / No

Please note: Conditions for use of these photographs are on the back of this form. I have read and understood the conditions of use on the back of this form.

Parent/Guardian Signature:

Date:

Parent/Guardian Name (Please print):

CONDITIONS OF SCHOOL USE:

- This form is valid indefinitely from the date you sign it. It is your responsibility to let us know if you want to change or withdraw your agreement at any time.
- We will not re-use any photographs or recordings externally a year after your child leaves this school. Photographs/videos will remain in our school's secure historical archive.
- We, the school, will not use the personal details or full names (which means first name and surname) of any child in a photographic image or video, in our Dúchas article, in our annual school prospectus or in any other printed publications.
- We will not include personal e-mail or postal addresses, or telephone or fax numbers on video, in our Dúchas article, in our annual school prospectus or in any other printed publications.
- If we use photographs of individual pupils, we will not use the name of that child in the accompanying text or photo caption, unless we have your written agreement.
- If we name a pupil in the text, we will not use a photograph of that child to accompany the article, unless we have your written agreement.
- We may use pictures of pupils and teachers that have been drawn by the pupils.
- We may use, if selected, artwork or written work from the pupils.
- We may use group or class photographs or footage with very general labels, e.g. "a gardening lesson", "bring and buy sale", "fun day", "making pancakes", etc.
- Parents' / Guardians' consent will be stored in the school and will be retained no longer than is necessary for the purpose the data was obtained for. The paper copy will be retained on school file up to a year after your child leaves this school.

Please note:

As the child's parents/guardians, you too are subject to GDPR regulations. If you take photographs or video recordings of your child/ren which include other pupils, you must use these for personal and family use only and you will not post on any personal social media accounts. You understand that where consent has not been obtained from the other parents for any other use, you would be in breach of the Data Protection Act 1998 if you used the recordings for any wider purpose.