



Data Protection Policy

Date Ratified: _____

Signed: _____

Fr. Richard Sheehy
Chairperson Board of Management

1. Introduction and Rationale

This policy was formulated by the in-school Middle Management Team, informed by the views of all staff, parents/guardians and the Board of Management (BOM), having regard to advices and guidance provided by the Department of Education and Skills (DES), Guidelines available on: www.dataprotectioninschools.ie

The purpose and rationale of this Policy is to provide information and guidance to the whole school community; staff, pupils, parents/guardians (including prospective) and the BOM of how personal data accurately generated in the school, either manually or electronically, is processed, maintained and protected, in order to demonstrate compliance with legal obligations, in particular, those under the Data Protection Acts (1988-2003), the Education Act (1988) and the Education Welfare Act (2000) and EU General Data Protection Regulation (GDPR).

2. Relationship to Ethos

Our school ethos prioritises the creation of a school climate of love, trust, respect and tolerance, which recognises the need for the cooperation and involvement of the whole school community, to establish our school as a centre of excellence in the provision of educational opportunities for each individual pupil. To achieve this, the school recognises that the protection of personal data underpins the fundamental right to privacy, for all members of the school community.

3. Aims

- To ensure that the school complies with all relevant legislative requirements (APPENDIX 1)
- To adhere to the eight rules of data protection, as set down by the *Data Protection Commissioner*, based on the Acts (APPENDIX 2)
- To identify personal data to be generated, processed, protected and maintained
- To detail responsibilities for the control and maintenance of such personal data: The Board of Management is considered to be the *Data Controller*, with the Principal acting as *Data Protection Officer* in exercising on-going functions involved within the school (APPENDIX 2)
- To ensure that the data protection rights of the school community are safeguarded
- To put in place a proper collecting, recording and communication framework on the educational progress of pupils
- To establish clear guidelines on access; making data available to parents/guardians and past pupils
- To indicate the length of time personal data will be retained

4. Categories of Personal Data, Management and Control.

Four general categories of personal data records are generated within the school, namely:

1. Pupil Records,
2. Staff Records,
3. Board of Management Records, and
4. Other Records.

4.1 Pupil Records

Type	Management/Control	Location/Security
Enrolment Forms/Change of Contact Details	School Secretary	Secure in Main School Office
Report Cards	Class Teachers/Principal	Secure filing in Principal's office/Uploaded onto Aladdin-teachers have access to their own class/groups only
Authorisation pupil is exempt from Irish	Principal's office/Aladdin	Secure in Principals office
Administration of Medicine consents	Principal's Office	Secure in Principals office-copy in pupils file/copy in Medical Consent Forms file
Special education – records of consent to attend Learning support	Special Educational Team (SET) teachers	Secure in Learning Support Room
Photographs and recorded images of students	Teachers/Principal/Secretary	Stored on Gdrive – only accessed by teachers
POD Consents [Circular 0017/2014]	Principal	Secure in Principal's office
POD	School Secretary/Principal	Access via the On-line Claims System

Registers	Principal/Deputy Principal/Secretary	Registers (1975 - present) stored securely in store room behind Principal's office Indefinitely
Attendance Records	Principal Class Teacher	Roll Books stored securely in store room behind Principal's office. Since September 2015 electronic roll books in use – all information uploaded to Aladdin Monthly attendance totals (clár-leabhar) stored securely in Principal's office
Individual Education Plans	Learning Support Teachers	Secure in Learning Support Room
Portfolios of pupils' work	Class Teacher	Classroom
Teacher Designed Tests	Class Teacher	Secure in Classroom Problem-solving test results uploaded onto Aladdin
Standardised test Booklets Standardised Test Results	Class Teacher	Secure in classroom. Booklets are shredded after one year Uploaded onto Aladdin. Hard copy of results stored securely in SET filing cabinet.
Diagnostic Test Results	Class/SET Teachers	Secure filing in Learning Support Room
Screening Test Results	SET teachers	Secure filing in Learning Support Room
Psychological Assessments	Set Teachers	Secure filing in Learning Support Room
Disciplinary Records	Class Teacher/Principal	Indefinitely - recorded on Aladdin
Accident and Emergency Reports	All Staff	Incident Book and/or secure filing in Principal's office
Child Protection Issues	Principal	Secure filing in Principal's office
Education Passports	Sixth Class Teachers	Secure filing in Principal's office

4.1.1 Reasons for the collection of Pupil Records include:

- To ensure that the pupils meets the school's admission criteria
- To enable each pupil to develop her full potential
- To comply with legislative or administrative requirements, to ensure that eligible pupils can benefit from the relevant additional teaching or financial supports and to enable parent/guardians to be contacted in the case of emergency
- To meet the educational, social, physical and emotional requirements of teach pupil
- To keep a record of the history of the school and maintain photographs and recorded images of pupils to celebrate school achievements, compile yearbooks, establish a school website, record school events, and
- To ensure that any pupil seeking an exemption from Irish meets the criteria in order to obtain such an exemption from the authorities
- To furnish documentation/information about the pupil to the *Department of Education and Skills, National Council for Special Education, TUSLA*, and other schools etc. in compliance with law and directions issued by government departments
- To enable effective communication with parents/guardians in cases of pupils' progress and in cases of emergency
- To furnish, when requested, any relevant documentation/information

4.1.2 Length of storage of Pupil Records

As a general rule, pupil records (e.g. enrolment forms) will be maintained securely in a readily accessible manner for the duration of the pupil's time in the school and thereafter will be safely and securely stored for twenty-one years - until the pupil reaches twenty-five years. However, this period may need be extended for the purposes defending a claim under legislation, when records will be retained until the possibility of litigation ceases.

Primary Online Database (POD) personal data is maintained by DES for the longer of either the period up to the pupil's 30th birthday and subject to review thereafter or for a period of 10 years since the pupil was enrolled.

4.2 Staff Records

Type	Management/Control	Location
<i>Name, Address, Contact Details, PPS number</i>	Secretary	Secure in Principal's Office
<i>Original Application</i>	Principal	Secure in Principal's Office
<i>Record of appointment to promotion posts</i>	Principal	Secure in Principal's Office
<i>Details of approved</i>	Secretary/Principal	Secure in Principal's Office/Via

<i>absences</i>		the DES OLCS (Online Claim's System)
<i>Work Records (cuntais míosiúil, qualifications, classes taught ,subjects)</i>	Principal	Secure in Principal's Office
<i>Details of any grievances or complaints</i>	Principal	Secure in Principal's Office

4.2.1 Reasons for collection of Staff Records include:

- To facilitate the payment of staff and to calculate other benefits entitlements
- To facilitate pension payments in the future, and record of promotions made
- To manage and administer school business (now and in the future)
- Human resources management
- 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
- For compliance with legislation relevant to the school

4.2.2 Length of storage of Staff Records

Pay, taxation and related school staff service records are shredded where no longer required and usually after 6 years. Where litigation may potentially arise in the future (e.g. in relation to accidents/personal injuries involving school personnel or pupils or accidents/injuries occurring on school property, the relevant records are retained until the possibility of litigation ceases.

4.3. Board of Management Records

Type	Management/Control	Location
Name, address and contact details of each member of the Board of Management	Chairperson of Board/Principal	Principal's Office
Minutes of Board of	Principal	Securely in Principal's Office

Management meetings and correspondence to the Board		
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Reasons for collection of Board of Management Records include:

- To enable the Board to comply with the requirements with the Education Act 1998 and other applicable legislation and to maintain a record of Board appointments and decisions

Length of storage of Board of Management Records

Where litigation may potentially arise in the future (e.g. in relation to accidents/personal injuries involving school personnel or pupils or accidents occurring on school property, the relevant records are retained until the possibility of litigation ceases.

4.4. Other Records

<i>Type</i>	<i>Management/Control</i>	<i>Location</i>
Name, address and contact details of each external contractor/creditor	<i>Chairperson of Board/Principal</i>	Securely in Principals Office
Records of Accounts of Grants/Payments/Receipts	Treasurer/Principal	Securely in Principal's Office

Reasons for collection of Other Records

- For routine management and administration of the school's financial affairs, including the payment of invoices, compiling of annual financial accounts and complying with audits and investigations by DES and the Revenue Commissioners.

Length of storage of Other Records

As contractually required, and where litigation may potentially arise in the future (e.g. in relation to accidents/personal injuries involving school personnel or pupils or accidents occurring on school property), the relevant records are retained until the possibility of litigation ceases.

5. Security/Storage

5.1 Manual Data

All manual data is held in a secure supervised location, for example, in secure filing cabinets, where only designated persons have access.

All school staff are made aware of the requirement, at all times, to maintain the confidentiality of all personal data to which they have access.

5.2 Electronic Data

5.2.1 Aladdin

St Brigid's GNS uses an online administration system classed Aladdin. Aladdin and Google are Data Processors. The School is the Data Controller, meaning the school has ownership of their data at all times. Aladdin acts on the school's instruction to store the data securely. All the school data is stored exclusively in Google EU Data Centres.

Encryption of Information

Aladdin use 128 bit SSL encryption on all data that is transferred between the school and Aladdin/Google. This means that even if Aladdin is accessed across an unsecured wireless connection the data is fully protected. All Aladdin data is fully encrypted at rest in Google's data centres

Security:

- Access to the data is by username and password and each account gives relevant access to their user. For example users with full administration rights i.e. the principal, secretary and deputy principal will see all students, whereas a user with normal access i.e. a classroom teacher, will only see students in their class and a resource teacher just the children he or she is working with. Schools as the data controller must ensure that accounts and passwords are not shared and staff take appropriate measures to keep their account secure.
- Aladdin and Google's security systems are [independently audited to international standards](#). Aladdin is security scanned daily and Google's data centre security is independently audited to ISO 27001, ISO 27017 and ISO 27018.

5.2.2 SeeSaw

Seesaw is used, at St. Brigid's G.N.S., as an e-portfolio and as a platform for student engagement. It is also used to support remote teaching and learning in Junior Infants-4th class. (3rd and 4th class will transition from the use of SeeSaw to Google Classroom from

January 2021 onwards). Seesaw is GDPR compliant through the operation of a privacy shield. Permission is sought from parents before pupils use SeeSaw. The uploading of a student's work will be coordinated and supervised by the class teacher/SET teacher at all times. Each class has their own SeeSaw account controlled by the class teacher. Within the class account, each child has their own individual profile where samples of their learning are stored. SeeSaw only uses pupils' names to provide the service and doesn't create profiles of students or use personal information or journal content. Each pupil has their own unique password for accessing their own student profile. Pupils cannot view the work of another pupil. (*Note: The exception to this is when the class teacher opts to use the blog feature within the SeeSaw class account. The blog feature allows the children to share a piece of their work with their peers. The teacher is required to approve the piece of work and any comments made by the class on the piece of work before it appears in the class blog. Parents/Guardians will be notified of the teacher's intention to use the blog feature. The class teacher will establish a clear etiquette with parents/guardians and children around posting and commenting).

5.2.3 Google Classroom/Chromebook Usage

Google Classroom is used at St. Brigid's G.N.S., as an e-portfolio and to streamline the process of sharing files between teachers and students. The platform is also used to support remote teaching and learning in 5th and 6th class. (3rd and 4th class will transition from the use of SeeSaw to Google Classroom from January 2021 onwards).

Additional Points to Note:

- Students will log onto Google Classroom through use of personalised school generated usernames and passwords. eg: joebloggs@stbrigid.ie This username has the appearance of an email address but it does not function as an email address.
- The student's cloud storage folder Google Drive is to be used for educational purposes only. The cloud storage folder can only be accessed after logging onto the student's personalised google account which is password protected.
- Students will not send or receive any material that is illegal, obscene, defamatory or that is intended to annoy or intimidate another person.
- Students are not allowed to access their own personal email accounts, this setting has been turned off.
- Students will not reveal their own or other people's personal details, such as addresses or telephone numbers or pictures.

5.2.4 Google Meet/Zoom

Google Meet/Zoom are used to support communication between teachers and students during periods of school closure.

Additional Points to Note:

1. Under no circumstances can pictures or recordings be taken of video calls.
2. You will automatically enter a waiting room when the code for a Zoom call has been entered. Please note that school staff will only accept users into video call if you can be identified by the display name on your zoom account.

3. For Google Meet, the pupils will have to log onto their password protected Google accounts in order to access the link for the Google Meet.
4. For detailed information on GDPR and Zoom, please visit [GDPR Zoom](#).
5. For detailed information on GDPR and Google Meet, please visit [GDPR Google Meet](#).

6. Access

An individual has the right to be informed whether the school holds data/information about them and to be given a description of the requested data together with details of the purposes for which their data is being kept. In the case of pupils, under the age of twelve years, this is the parent /guardian. They are also entitled to a copy of their data on written request and this request will be responded to within 40 days. A past pupil may apply from the age of 18.

However, the school notes that the right of access, is a right of the actual *Data Subject* themselves, i.e. it is the right of the pupil. Therefore, access documentation should be addressed to the pupil at her address as registered with the school.

The individual must make this request in writing on an *Access Request Form* provided by the school (APPENDIX 3) to the Board of Management accompanied by requested identification.

No personal data will be supplied relating to another individual unless that third party has consented to the disclosure of their data to the applicant. Data will be carefully redacted to omit references to any other individual and only where it has not been possible to redact the data to ensure that the third party is not identifiable would the school refuse to furnish the data to the applicant. Save where otherwise statutorily authorised, for example Child Protection, the transfer of personal data to outside agencies including; other schools primary or secondary, parental/guardian consent is required.

In exceptional urgent circumstances, the Principal will make a professional judgement on whether to provide information and will record details of information submitted to whom.

7. Supporting Policies

The following school policies support data protection and were drawn up in consultation with staff/parents/guardians and the Board of Management:

- Assessment & Recording Policy
- Anti-Bullying Policy

- Enrolment & Admissions Policy
- Health and Safety Statement
- Child Protection Policy
- Relationships and Sexuality Education Policy
- Acceptable Usage Policy

8. Roles & responsibilities

Name	Responsibility
Board of Management:	Data Controller
Principal:	Data Protection Officer
Secretary:	Security and Confidentiality
School Community:	Maintain awareness and implement.

9. Ratification & Communication

This Policy was ratified by the Board of Management on 17th May 2017 and reviewed January 2018 and is available from the school on request and also available to download on the school website www.stbrigid.ie

10. Review Timetable

The BOM will monitor this Policy's implementation and will review it again, on or before December 2019, or as the need arises. Amendments will be made as necessary.

APPENDIX 1

LEGISLATIVE REQUIREMENTS

The Education Act, Section 9g requiring a school to provide access to records to students over 18/parents

The Data Protection Act, 1988 and the Data Protection (Amendment) Act, 2003 (henceforth referred to as the Data Protection Acts)

Under Section 20 of the Education (Welfare) Act, 2000, the school must maintain a register of all students 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 data controller may supply

personal data kept by him or her, or information extracted from such data, to the data controller of another prescribed body if he or she is satisfied that it will be used for a “relevant purpose” only

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 (“SENOs”)) such information as the Council may from time to time reasonably request

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)

APPENDIX 2

RELEVANT DEFINITIONS

Data: means information in a form which can be processed. It includes electronic data (information on computer or information recorded with the intention of putting it on computer) and manual data (information that is kept as part of a relevant filing system, or with the intention that it should form part of a relevant filing system).

Relevant filing system: means any set of information relating to individuals to the extent that, although the information is not processed by means of equipment operating automatically in response to instructions given for that purpose, the set is structured, either by reference to individuals, or by reference to criteria relating to individuals, in such a way that specific information relating to a particular individual is readily accessible.

Personal data: means data relating to a living individual who is or can be identified 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.

Data Controller: A Data Controller is a person who, either alone or with others, controls the contents and use of personal data. The school Board of Management can be considered to be the Data Controller, with the Principal acting as Data Protection Officer

for the Board of Management in exercising the functions involved.

THE EIGHT RULES OF DATA PROTECTION

1. Obtain and process personal data fairly:

All data is gathered and maintained, at all times, with the best interest of the affected individual in mind

Information on pupils is gathered with the assistance of parents/guardians and staff and may also be transferred from their previous schools.

In relation to information the school holds on other members of the school community including prospective members for example; members of staff, parents/guardians, Board of Management, the information is generally furnished by the individuals themselves with full and informed consent.

In the case of pupils under the age of twelve consent of a parent/guardian is necessary.

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

The school will, as necessary, inform individuals of the reasons they collect data and will inform them of the uses of such data.

3. 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 strictly need to know basis,

and access to it will be controlled.

4. Keep personal data safe and secure:

Sensitive data is securely stored under lock and key in the case of manual records and protected with appropriate firewall software and password protection in the case of electronically stored data.

Portable devices (such as laptops) storing personal data must be encrypted and password protected before they are removed from the school.

5. Keep personal data accurate, complete and up-to-date:

Pupils, parents/guardians, and/or staff should inform the school of any change which the school should make to their personal data to ensure that the data is accurate, complete and up-to-date.

If alteration/correction is required, then a note of the alteration(s) is made to any original record/documentation and is dated and signed by the person making the change.

6. Ensure that it is adequate, relevant and not excessive:

Only the strictly necessary amount of relevant data will be gathered and stored.

7. 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 pupil's time in the school. *Thereafter, the school will comply with DES guidelines on the storage of Personal Data and Sensitive Personal Data relating to a student. School registers and roll books are required to be kept indefinitely within the school.*

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.

Where litigation may potentially arise in the future (e.g. in relation to accidents/personal injuries involving school personnel/students or accidents occurring on school property), the relevant records should be retained until the possibility of litigation ceases.

8. Provide a copy of their personal data to any individual, on request

Individuals have a right to know what data is held about about them, by whom, and the purpose for which it is held.

APPENDIX 3

Data Access Request Form

Request for a copy of Personal Data under the Data Protection Act 1988 and Data Protection (Amendment) Act 2003

Date issued:

Important: Proof of Identity must accompany this Access Request Form (e.g. official/State photographic identity document such as driver's licence, passport).

Full Name	
Maiden Name (if name used during your school duration)	
Address	
Contact number *	Email addresses *

* We may need to contact you to discuss your access request

Please tick the box which applies to you:

Pupil	Parent/Guardian of student	Former Student	Current Staff	Former Staff
Age: Class:	Name of Student:	Year leaving:		Insert Years From/To:

Section 3 Data Access Request:

I,[insert name] wish to be informed whether or not *St. Brigid's GNS* holds personal data about me/my child and to be provided with a description of this data and to be informed of the purpose for holding such data. I am making this access request under **Section 3** of the Data Protection Acts.

OR

Section 4 Data Access Request:

I, [insert name] wish to make an access request for a copy of any personal data that *St. Brigid's GNS* holds about me/my child. I am making this access request under **Section 4** of the Data Protection Acts.

Signed Date

To the Chairperson of Board of Management