

The Quay School

Data Protection and Record Management Policy

St.Columbkille's National School

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Mission Phrase: St Colmcille's NS is a Catholic, primary school which strives to provide a structured, caring, happy and secure environment where the intellectual, spiritual, physical, moral and cultural needs of the pupils are identified and addressed. We will strive to provide an appropriate education for every child in our school.

"Ní neart go cur le chéile"

St. Columbille's National School

1. Introduction

The purpose of this policy is to ensure the safe, secure and lawful collection and retention of records by St Colmcille's NS and to document the school's policy on the retention of records.

2. Relationship to School Ethos

St Colmcille's NS promotes openness and co-operation between staff, parents and pupils as a means towards providing the caring environment through which a child can develop and grow to his full potential. St Colmcille's NS takes most seriously its data protection obligations to pupils, parents, guardians and staff.

3. Aims and Objectives

- Our aim is to ensure that the school has proper procedures in place in relation to accountability and transparency.
- To ensure the school complies with legislative requirements such as;
 - Education Acts 1998-2018., Section 9g requiring a school to provide access to records to students over 18/parents
 - Education Welfare Act 2000 – requiring a school to report school attendance and transfer of pupils.
 - Data Protection Acts 1988 to 2018 and the General Data Protection Regulations (“GDPR”) (together the “Data Protection Acts”)
- To stipulate the length of time records and reports will be retained.

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4. Categories of Data

The Principal supervises the application of the Data Protection Acts within the school. The Data under the control of the Principal comes under the following headings.

a. Student Personal Data:

This data relates to personal details of the students such as name, address, date of birth, gender, ethnic origin, nationality, religious belief, medical details, dietary information, PPS, contact details, parents' names and custodial rights. These are kept in the school office in a filing cabinet and on the computer which is password protected.

b. Student Records:

Student records may contain:

- Personal details of the student
- Medical sensitive data
- School Reports
- Psychological/Clinical/Occupational Therapy/Speech and Language Assessments
- Standardised Test Results
- Attendance Records
- Screening Test such as BIAP, MIST and NRIT

The above data is considered sensitive and must only be stored securely in the Principal's and/or secretary's office.

- Diagnostic Tests Reports
- Individual Education Plans
- Learning Support/Resource Data such as records of permission/refusal to access LS/RT services in the school,
- Details of behavioural incidents or accidents.

This information is kept in the class teachers and SEN teachers files.

c. Staff Data

This data relates to personal and professional details of the Staff such as name, address, date of birth, contact details, Teaching Council number, PPS, health/ medical issues,

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d. Administrative Data

- Attendance Reports, Roll Book, Registers
- Accident Report Book
- Administration of Medicines Indemnity Form
- Policies
- HSE files
- Board of Management files
- Accounts

5. Access to Records

The following will have access where relevant and appropriate to the data listed above;

- Parents/guardians
- Past pupils over 18
- Health Service Executive
- Designated school personnel
- Department of Education & Skills
- First and second-level schools (where appropriate)

Parents/Guardians can make such a request either by email or in writing. All requests for copies of Personal Data must be passed to the Principal who will respond in writing within 30 days of receipt, with a copy of all Personal Data held. It is imperative that only Personal Data relating to the requester/their child is included in the response. All other Personal Data must be redacted if on the same document or record.

The right to erasure or rectification is available to change any mistakes or inaccuracies through the same procedure.

6. Secure collection, storage and retention

The school obtains the pupils personal data through the Annual Confidential Form.

All records are stored in the school until the past pupil reaches the age of 21. These records are stored in a locked filing cabinet.

A pupil information sheet and certain records are held by each teacher in his/her individual classroom and passed on to the next teacher as the child moves to the next class.

Computerised records/systems are password protected.

Personal Data must not be removed from the school premises under any circumstances without the prior approval of the Principal.

This information is kept only for one or more specified and lawful purposes i.e. HSE, DES, H&S and Welfare of the children in the school.

The sensitive data on each pupil will be stored securely and confidentially in the Principal's and/or secretary's office. All information related to the pupils stored on computers are password protected.

The school will ensure that all data is accurate, relevant and up to date and will be retained no longer than is necessary.

7. GDPR (General Data Protection Regulations)

- i. The General Data Protection Regulations came into being on 25th May 2018.
- ii. St Colmcille's NS is a Data Controller and may only collect and retain Personal Data that it has a lawful basis to hold. The lawful basis under which it holds information includes that arising under legislation such as the Education Welfare Act 2000 and the Education Acts 1998 to 2018.
- iii. Personal Data is data relating to an individual which directly or indirectly identifies that individual, and in the school context includes data detailed at 4 (a) - 4 (d) above.
- iv. St Colmcille's NS will ensure that it meets the principles of GDPR, namely:
 - Personal Data will be fairly and lawfully processed in a transparent manner.
 - Personal Data will be processed for limited necessary purposes.
 - Personal Data will be adequate, relevant, not excessive (i.e. St Colmcille's NS will adhere to a data minimisation approach) and be kept accurate and up to date.
 - Personal Data will not be kept longer than is necessary, and will be stored securely.

8. Procedure to Deal with a Data Breach

- i. In the event of an actual or suspected data breach (accidental or unlawful destruction, loss or alteration, disclosure or access to personal data) the Principal must be informed immediately. A data breach would include Personal Data being accidentally sent to an incorrect e-mail recipient, or the loss of a file containing personal data outside the school premises.
- ii. The Principal will decide if the breach is reportable (a) to the Data Protection Commissioner, (and if so this must be done within 72 hours) and (b) to the relevant Data Subject(s).

9. Data Processors

St Colmcille's NS will not share Personal Data with third parties, unless necessary and unless the third party (Data Processor) has completed the School's precedent Data Processing Agreement at Appendix 1.

A parental authorisation form must be completed by parents in the event of data being transferred to outside agencies such as health professionals, DES, etc. Outside agencies requesting access to records must do so in writing giving seven days' notice.

10. Roles and Responsibilities

The school staff, under the direction of the Principal, will implement and monitor this policy. Individual teachers will design, administer and record all in-class testing. The Principal will ensure records are maintained, stored and updated annually.

11. Review and Ratification Record

Version	Description of Changes	Approval Date	Approver
1	Updated for GDPR	Sept 2019	
2	Reviewed during Covid-19	May 2020	BoM

3	Reviewed during Covid-19	Jan 2021	BoM
4	Reviewed	Jan 2024	BoM
5			

Next Update: January 2027

Appendix 1

DATA PROCESSING Agreement in compliance with the General Data Protection Regulations (GDPR)

This Data Protection Agreement is agreed between St Colmcille's National School

and _____ ("Data Processor")
SERVICE PROVIDER NAME

in relation to _____ [*enter description of
Services, e.g. 'sports coaching'] ("The Services")

Obligations of the Data Processor

To the extent that the Data Processor processes Personal Data in the course of providing the Services, it acknowledges and agrees that it shall:

- 3.1 Only process such Personal Data in accordance with applicable Data Protection Acts 1998-2018 and the GDPR.

- 3.2 Safeguard the Personal Data from accidental loss, alteration, disclosure, destruction or damage.
- 3.3 Take reasonable steps to ensure the reliability of any of its employees, agents and/or sub-contractors who shall have access to the Personal Data.
- 3.4 Not to transfer the Personal Data outside the European Economic Area.
- 3.5 Obtain prior written consent from The Principal of St Colmcille's National School before transferring the Personal Data to any sub-contractor and in all cases any such consent shall be subject to such sub-contractor being bound by the obligations set out in this letter.
- 3.6 Notify the Principal of St Colmcille's National School immediately, about any accidental or unauthorised access or damage to or loss of Personal Data processed.

Signed: _____
On behalf of Service Provider

Date:

Note: 'Personal Data', 'Processing' and 'Processor' shall have the same meaning as defined in Article 4 of the GDPR.