

## **Data Protection Policy**

***Our Lady Queen of the Apostles National School,  
Dunawley Avenue,  
Clonburris,  
Clondalkin,  
Dublin 22***

### **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 stakeholders.

This version of the Data Protection Policy was formulated in June 2015.

### **Rationale:**

It is necessary to have policy on data protection and record keeping to ensure that the school has proper procedures in place in relation to accountability and transparency.

Good practice highlights the need to record pupil progress so as to identify learning needs.

It is necessary to have a policy in place to ensure a school complies with the following legislation:

- Education Act 1998
- Education Welfare Act 2000
- Data Protection Act 2003
- Freedom of Information Act 2014

### **Relationship to characteristic spirit of the School**

Our Lady Queen of Apostles National School seeks to promote the full and harmonious development of the pupil – intellectually, physically, culturally, morally and spiritually, and to provide a safe and secure environment for learning.

### **Goals:**

- To ensure the school complies with the Data Protection Acts
- To clarify the types of records maintained and the procedures relating to making them available to the relevant bodies
- To establish clear guidelines on making these records available to parents and pupils over 18 years of age and stipulate the length of time records and reports will be retained
- To ensure that the data protection rights of students, staff and other members of the school community are safeguarded

## **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.

### **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**
- B. Administrative Data**
- C. Student Records**
- D. Students' Attendance Records**
- E. Staff Records**

#### **A. PERSONAL DATA:**

This data relates to personal details of the students and includes students':

- Name, Address, Date of Birth, PPSN, Home and Mobile Telephone Contact details
- Gender, Family Status, Parents'/Guardians' names Parents'/Guardians' Occupation
- Nationality, Ethnic Origin, Religious Belief, Medical Details, Dietary Information

This information is included in the School Enrolment Form and Permission Forms. These forms are kept in the Secretary's Office. Information such as students' names, addresses, PPSN, contact numbers and registration are stored in both hard copy and electronic format.

#### **B. ADMINISTRATIVE DATA:**

- Attendance Reports, Roll Book, Registers; Class files; Pupil Profile files; Enrolment applications; Birth Certificate copy, Passport copy if necessary, Baptismal Certificate copy (where applicable)
- Correspondence between parents and teachers
- Yard Books
- Incident Reports
- Accident Report Book detailing injury and treatment applied
- Administration of Medicines Indemnity Forms
- Late Arrivals/Early Departures Record Book
- Records of books rented under book-rental scheme and books borrowed from school library

- Pupil behavior records and Records of allegations/ incidents of bullying and alleged bullying;(manually recorded notes) (kept in Principal's Office)
- Records kept in line with Children First Procedures (Child Protection) (kept in Principal's Office)

### ***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 Office. Child Protection matters reported to the Board will not identify a pupil by name except in exceptional circumstances.

### **C. STUDENT RECORDS:**

Student records maintained under the Data Protection Policy will include:

#### ***Student Records held by Class Teachers***

The student records outlined below are held by each class teacher:

- Personal details of the student
- Attendance Records – Roll Books/Aladdin Administrative Software
- Teacher-designed tests. Each class teacher designs his/her own test template
- Individual Education Plans, Individual Pupil Learning Plans and records of meetings with the stakeholders regarding these plans
- Portfolios of student work e.g. Projects/Art and achievements on diagnostic tests
- Learning Support/Resource Data such as records of permissions/refusals to allow children access to LS/RT services in the school are stored by SEN Post Holder on behalf of class teachers

#### ***Student Records held by others***

The following records are stored securely in the Principal's Office

- Psychological Assessments
- Assessment results carried out by professionals to assist teaching and learning (eg. results of psychiatric reports; occupational therapy reports; speech and language assessments; etc. )
- Standardised Test Results – stored on password protected computer
- Individual Education Plans, Individual Pupil Learning Plans and records of meetings with the stakeholders regarding these plans (both hard and electronic copies)
- Child Protection concerns and HSE referrals
- Minutes of HSE Child Protection Conferences
- School Report Cards
- Records of students who have been granted exemption for the study of Irish
- Screening Tests such as M.I.S.T., N.R.I.T., Dyslexia Screening Tests etc.
- Diagnostic Tests Reports

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 Main School Office.
2. **Psychological Assessments.** Reports issued following psychological assessment are securely stored in the Principal's Office. Reports issued following other assessments such as Occupational Therapy, Speech & Language, Medical etc are also stored in the Principal's Office.
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 stored on password protected computer. The SEN post holder will also retain a copy of class record sheets. Standardised Test results are included in the Annual Summer Report to be completed at the end of the school year and stored in the Secretary's Office. Test Booklets are stored by the SEN post holder for one school year after which they are shredded.
4. **Screening Tests.** The MIST (Middle Infant Screening Test) Assessment is administered to all Senior Infant children in the third term of each year. Class Record Sheets are securely stored by the class teacher and the Principal. MIST Test Results are stored in the Main School Office.
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 Learning Support Teachers, Resource Teachers. Results from these assessments are securely stored by the relevant teachers.
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 and relevant Support Teachers.
8. **Learning Support/Resource Data** such as records of consent/refusal to allow diagnostic testing or access to Learning Support Teacher/Resource Teacher services in the school. These records are securely stored by the relevant teacher.
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 maintained by the Class Teacher. Attendance details are included in school's computerized data management system (Aladdin). Computerised records are securely stored in a password protected folder.
12. **Record of child's breaches of Code of Behaviour.** Incidents of misbehaviour in the playground are recorded in the Yard Books. Yard Books for the current school year are kept by the 6<sup>th</sup> Class Teachers, with the Yard Books from previous years stored in the Principal's office. Each Class Teacher keeps a record of classroom incidents. The Principal maintains a record of incidents brought to her attention. Incidents of repeated serious misbehaviour up to and including Suspensions are recorded, 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 Principal's office. 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 office.
15. **Certificates of Exemption from the Study of Irish.** Copies of certificates are securely stored by the Principal.

## ***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)
- Our Lady Queen of Apostles National School Board of Management

With the exception of child protection-related data which is governed by the *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.

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 1<sup>st</sup> to 6<sup>th</sup> Classes.

### ***Procedure to Access Records of Past Pupils***

A parent may apply for access to the records of a Past Pupil 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.

### **D. STUDENTS' ATTENDANCE RECORDS:**

Pupils' attendance will be recorded and stored in Roll Books, Registers and Leabhar Tinrimh. They will also be recorded and stored on the Aladdin Administration System software. This system is password protected and is accessed by the Secretary and the Principal. Teachers can access their own class records in any given year. These class records are password protected.

### **E. Staff Records**

Staff Records include:

- Name, Address, Contact details, PPSN, Payroll Number
- Job applications, Curriculum Vitae, References, Qualifications, Teaching Council Registration

- Records of interview procedures, Results of Interview Process, Interview Board Recommendations to BOM, BOM Recommendations to Arch-Bishop's House, after the interview process
- Contracts, Garda Clearance, Statutory Declaration (where necessary)
- Attendance records, Medical Fitness to Teach (where appropriate)
- Documentation relating to complaints and/or grievances

Access is restricted to the Principal, Secretary and Chairperson of the Board of Management when necessary.

These records are kept in the Secretary's and Principal's Offices. Attendance details are recorded on the OLCS system, are password protected and are accessed by the Secretary, the Principal and the Chairperson of the Board of Management if necessary.

Staff members may apply for access to their records. A written application will be required and records will be provided within 14 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. A Standard School Report Form is used for this purpose.

### **Storage:**

Records are stored securely in the Principal's Office.

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 Leabhar Tinrimh are stored in the same location together with Yard Books, Accident Report Books, Incident and Bullying Records.

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

### **Disposal:**

When no longer required, all records held in hard copy format are shredded. All records held electronically will be cleared and deleted.

### **CCTV data usage:**

CCTV cameras are in operation **externally** at the following points in the school;

1. At the Main Entrance to the School
2. The Porch Entrance to the School, overlooking the Car Park
3. The rear Entrance to the School
4. The Senior Yard

**Use of CCTV images:**

The use of this CCTV system is intended primarily to ensure the security of the School premises and its contents. The CCTV system may be used to capture images of intruders or of individuals damaging property or removing goods without authorisation.

A sign informing data subjects that the CCTV system is in operation will be displayed on the outside of the School building.

Images captured by the CCTV system will be retained on the system for 30 days. In exceptional circumstances images may be retained where an investigation by An Garda Síochána is ongoing or where such images are the subject of court proceedings.

If the Gardaí want CCTV images for a specific investigation, the Data Controller will satisfy her/himself that there is a genuine investigation underway. A phone call to the requesting Garda's station will be sufficient, provided that the Data Controller speaks to a member in the District Office, the Station Sergeant or a higher ranking officer, as all may be assumed to be acting with the authority of a District/Divisional officer in confirming that an investigation is authorised.

Any person whose image has been recorded has a right to be given a copy of the information recorded. To exercise that right, a person must make an application in writing. A Data Controller may charge a fee for responding to such a request, to defray any costs involved, and will respond within 40 days.

Practically, a person must provide necessary information to the Data Controller, such as the date, time and location of the recording. If the image is of such poor quality as not to clearly identify an individual, that image may not be considered to be personal data.

In giving a person a copy of his/her data, the Data Controller may provide a still/series of still pictures, a tape or a disk with relevant images. However, other people's images contained in the data will be obscured before the data are released.

**Monitoring the implementation of the policy**

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.

At least one Annual Report should be issued to the Board of Management to confirm that the actions/measures set down under the policy are being implemented.

**Reviewing and evaluating the policy**

The policy should be reviewed and evaluated at certain pre-determined times and as necessary. On-going review and evaluation should take cognisance of changing information or guidelines (eg. from the Data Protection Commissioner, Department of Education and Skills or the NEWB), legislation and feedback from parents/guardians, students, school staff and others. The policy should be revised as necessary in the light of such review and evaluation and within the framework of school planning.

