

Data Protection Policy 2016

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, transparency and confidentiality.
- 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

Arrangements in place to ensure compliance with the data protection rules:

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 and behavioural 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

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:

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 Office. Information such as name, address, contact numbers, PPS numbers on pupils are stored in both hard and soft copy format.

Student Records:

Copies of certain records are held by each class teacher and the originals in the Principal's Office. These records contain;-

- Personal details of the student
- School report cards
- Attendance Records
- Individual Education Plans, Individual Pupil Learning Plans and records of meetings with the stakeholders regarding these plans
- Learning Support/Resource Data such as records of permissions/refusals to allow children access to LS/RT services in the school
- Portfolios of student work e.g. Projects/Art and achievements on diagnostic tests.
- Individual Education Plans

The following records are stored securely in the Principal's Office and may be accessed as appropriate by staff with the permission of the Principal

- 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
- Screening Tests such as WRAT etc.
- Diagnostic Tests Reports
- Individual Pupil Learning Plans and records of meetings with the stakeholders regarding these plans.
- Child Protection concerns and HSE referrals
- Minutes of HSE Child Protection Conferences.

Administrative Data:

- Attendance Reports, 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
- 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

- 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.

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
- TUSLA 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)
- Benincasa School Board of Management (where relevant)

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.

Staff Data

Staff records 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. Disciplinary complaints and procedures shall remain on record for a period of twelve months.

These records are kept in the Principal's office. 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.

Students' Attendance Records

Pupils' attendance will be recorded and stored in the Principal's office.

Student Records

Student records maintained under the Data Protection Policy will include:

- **School Reports.** 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.
- **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.
- **Standardised Test Results.** Standardised Tests in English and Mathematics are administered in May to certain classes where appropriate. Class Record Sheets are securely stored by the Class Teacher and resource Teacher. The Principal will also retain a copy of class record sheets. Standardised Test results are included in the Annual Summer Report where appropriate to be completed at the end of the school year and stored in the Principal's Office. Test Booklets are stored by the Literacy Support Teacher for one school year after which they are shredded.
- **Screening Tests.** The WRAT Assessment may be administered. Class record sheets are securely stored by the class teacher and the Principal. WRAT Test Results are included in the Annual Summer Report where appropriate to be completed at the end of the school year and stored in the Main School Office.
- **Teacher – designed tests.** Results of teacher designed tests are securely stored by the teacher.
- **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 and details are also included in records kept by the Principal.
- **Classroom Support Plans.** School Support Plans and Individual Education Plans will be completed by relevant teachers for children. Copies will be securely stored by teachers, relevant Support Teachers and a copy included in the Principal's records.
- **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.
- **Class Records.** Class records are updated regularly. Class record sheets are stored securely in class folders in teachers' classrooms.
- **Portfolios** of student work e.g. Art, Written work are stored securely by the Class Teacher.
- **Attendance Records.** Roll Books are maintained by the Class Teacher. Attendance details are stored with the Secretary.
- **Record of child's breaches of Code of Behaviour.** Incidents of misbehavior in the playground are recorded and stored in the Principal's office. Each Class Teacher keeps

a record of classroom incidents. The Principal maintains a record of incidents brought to his attention.

- **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. Such records are signed by the Principal.
- **Indemnity Form for Administration of Medicine.** These forms are retained in the Principal's office.
- **Certificates of Exemption from the Study of Irish.** Copies of certificates are securely stored by the Principal.

Storage:

Records are securely stored in the Principal's office. Records are stored until pupils reach the age of 21 years. All completed school Roll Books, Registers and Leabhar Tinrimh are stored in same location together with Accident Report Books and Incident/Bullying Report Books.

Access to these stored files is restricted to authorised personnel only.

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

In the event of data being transferred to outside agencies, including other Primary Schools and Secondary Schools, the necessary will be given to the parent/guardian who in turn will pass it on to the appropriate agency. 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 (Statutory obligation under Education Welfare Act 2000). A standard School Report Form is used for this purpose.

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.

Data breaches and failure to comply with the Data Protection Policy may be considered a disciplinary offence.

Review/Ratification/Communication:

This policy was ratified by the Board of Management on..... It will be subject to review as the need arises.

Date: _____

References:

1. *Solas (CPSMA) May-June 2001*
2. *Education Act 1998*
3. *Education Welfare Act 2000*
4. *Data Protection Act 2003*
5. *Freedom of Information Act 1997*
6. *Literacy and Numeracy Strategy 2011*