



ST. DAVID'S HOLY FAITH SECONDARY SCHOOL
Greystones, Co. Wicklow

**ST. DAVID'S HOLY FAITH SECONDARY SCHOOL,
GREYSTONES, CO. WICKLOW**

Whole School Data Protection Policy

This Whole School Data Protection Policy was ratified by the Board of Management on
Monday, 7th March 2022

Mission Statement of St. David's Secondary School

In St. David's Holy Faith Secondary School, emphasis is placed on the moral and spiritual formation of students along with their intellectual, social and physical development. Students are encouraged to strive towards academic excellence.

This school community advocates, and will develop a strong sense of social justice. It is intended that the experience of education in St. David's Holy Faith Secondary School will be happy and creative, enabling each student to strive to fulfil his/her potential.

Introduction

The school's Data Protection Policy applies to the personal data held by the school that is protected by the Data Protection Acts 1988 and 2003, and the GDPR (General Data Protection Regulation) 2018.

The policy applies to all school staff, the board of management, parents/guardians, students and others (including prospective or potential students and their parents/guardians and applicants for staff positions within the school) insofar as the measures under the policy, relate to them. Data will be stored securely, so that confidential information is protected in compliance with relevant legislation. This policy sets out the manner in which personal data and the school will protect sensitive personal data.

Purpose of the Policy

The Data Protection Acts 1988 and 2003 apply to the keeping and processing of *Personal Data*, both in manual and electronic form. The purpose of this policy is to assist the school to meet its statutory obligations, to explain those obligations to School staff, and to inform staff, students and their parents/guardians how their data will be treated. The policy applies to all school staff, the board of management, parents/guardians, students and others (including prospective or potential students and their parents/guardians, and applicants for staff positions within the school) insofar as the school handles or processes their *Personal Data* in the course of their dealings with the school.

Rationale

In addition to its legal obligations under the broad remit of educational legislation, the school has a legal responsibility to comply with the Data Protection Acts, 1988 and 2003. Schools are also obliged to comply with the General Data Protection Regulation (GDPR).

This policy explains what sort of data is collected, why it is collected, for how long it will be stored and with whom it will be shared. As more and more data is generated electronically and as technological advances enable the easy distribution and retention of this data, the challenge of meeting the school's legal responsibilities has increased.

The school takes its responsibilities under data protection law very seriously and wishes to put in place safe practices to safeguard individual's personal data. It is also recognised that recording factual information accurately and storing it safely facilitates an evaluation of the information, enabling the principal and board of management to make decisions in respect of the efficient running of the School. The efficient handling of data is also essential to ensure that there is consistency and continuity where there are changes of personnel within the school and board of management.

Other Legal Obligations

Implementation of this policy takes into account the school's other legal obligations and responsibilities. Some of these are directly relevant to data protection. ***For example:***

- Under Section 9(g) of the Education Act, 1998, the parents of a student, or a student who has reached the age of 18 years, must be given access to records kept by the school relating to the progress of the student in their education.
- Under section 20 of the Education (Welfare) Act, 2000, the school must maintain a register of all students attending the School.
- 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.
- The Freedom of Information Act 1997 provides a qualified right to access to information held by public bodies which does not necessarily have to be "personal data" as with data protection legislation. While schools are not currently subject to freedom of information legislation, if a school has furnished information to a body covered by the Freedom of Information Act (such as the Department of Education and Skills, etc.) these records could be disclosed if a request is made to that body.
- 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,

4. **Keep *Personal Data* safe and secure:** Only those with a genuine reason for doing so may gain access to the information. Sensitive Personal Data is securely stored under lock and key in the case of manual records and protected with firewall software and password protection in the case of electronically stored data. Portable devices storing personal data (such as laptops) should be encrypted and password protected before they are removed from the school premises. Confidential information will be stored securely and in relevant circumstances, it will be placed in a separate file that can easily be removed if access to general records is granted to anyone not entitled to see the confidential data.
5. **Keep *Personal Data* accurate, complete and up-to-date:** Students, parents/guardians, and/or staff should inform the school of any change which the school should make to their personal data and/or sensitive personal data to ensure that the individual's data is accurate, complete and up-to-date. Once informed, the school will make all necessary changes to the relevant records. The principal may delegate such updates/amendments to another member of staff. However, records must not be altered or destroyed without proper authorisation. If alteration/correction is required, then a note of the fact of such authorisation and the alteration(s) to be made to any original record/documentation should be dated and signed by the person making that change.
6. **Ensure that it is adequate, relevant and not excessive:** Only the necessary amount of information required providing an adequate service 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 individual'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. 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. St. David's Secondary School will set out the details of Data retention in the school's Records Retention Schedule.
8. **Provide a copy of their *personal data* to any individual, on request:** Individuals have a right to know what personal data/sensitive personal who, and the purpose for which it is held hold data about them.

The *Personal Data* records held by the school **may** include:

A. Staff records:

- (a) **Categories of staff data:** As well as existing members of staff (and former members of staff), these records may also relate to applicants applying for positions within the school, trainee teachers and teachers under probation. These staff records may include:
- Name, address and contact details, PPS number
 - Original records of application and appointment to promotion posts
 - Details of approved absences (career breaks, parental leave, study leave etc.)
 - Details of work record (qualifications, classes taught, subjects etc.)
 - Details of any accidents/injuries sustained on school property or in connection with the staff member carrying out their school duties
 - Records of any reports the school (or its employees) have made in respect of the staff member to State departments and/or other agencies under mandatory reporting legislation and/or child-safeguarding guidelines (subject to the DES Child Protection Procedures).
- (b) **Purposes:** Staff records are kept for the purposes of:
- the management and administration of school business (now and in the future)
 - to facilitate the payment of staff, and calculate other benefits/entitlements (including reckonable service for the purpose of calculation of pension payments, entitlements and/or redundancy payments where relevant)
 - to facilitate pension payments in the future
 - human resources management
 - recording promotions made (documentation relating to promotions applied for) and changes in responsibilities etc.
 - 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
 - and for compliance with legislation relevant to the school.
- (c) **Location and security:** In a secure, locked filing cabinet that only personnel who are authorised to use the data can access. Limited information regarding contact details is stored on Facility, our administration software, which is password protected and has limited authorised access. Employees are required to maintain the confidentiality of any data to which they have access.

- to support the provision of religious instruction
- to enable parents/guardians to be contacted in the case of emergency or in the case of school closure, or to inform parents of their child's educational progress or to inform parents of school events etc.
- to meet the educational, social, physical and emotional requirements of the student
- photographs and recorded images of students are taken to celebrate school achievements, compile yearbooks, establish a school website, record school events, and to keep a record of the history of the school. Such records are taken and used in accordance with the " Guidance for Taking and Using Images of Pupils in Schools"
- to ensure that the student meets the school's admission criteria
- to ensure that students meet the minimum age requirements for their course,
- to ensure that any student seeking an exemption from Irish meets the criteria in order to obtain such an exemption from the authorities
- to furnish documentation/ information about the student to the Department of Education and Skills, the National Council for Special Education, TUSLA, and other Schools etc. in compliance with law and directions issued by government departments
- to furnish, when requested by the student (or their parents/guardians in the case of a student under 18 years) documentation/information/ references to third-level educational institutions and/or prospective employers
- In respect of a work experience placement, (where that work experience role requires that the student be Garda vetted) the School will assist the student in obtaining their Garda vetting outcome (with the consent of the student and their parent/guardian) in order to furnish a copy of same (with the consent of the student and the student's parent/guardian) to the work experience employer.

(d) **Location and security:** In a secure, locked filing cabinet and/or computer database. that only personnel who are authorised to use the data can access. Limited information regarding contact details is stored on our administration software vsware that is password protected and has limited authorised access. Parents/guardians have access to their child's e-portal page through a personal access code given by the school. Employees are required to maintain the confidentiality of any data to which they have access.

B. Board of Management records:

(a) **Categories of board of management data:** These **may** include:

authorised access. Employees are required to maintain the confidentiality of any data to which they have access.

Charity tax-back forms

Categories of data: the school may hold the following data in relation to donors who have made charitable donations to the school:

- name
- address
- telephone number
- PPS number
- tax rate
- signature and
- the gross amount of the donation.

(b) **Purposes:** Schools are entitled to avail of the scheme of tax relief for donations of money they receive. To claim the relief, the donor must complete a certificate (CHY2) and forward it to the school to allow it to claim the grossed up amount of tax associated with the donation. The information requested on the appropriate certificate is the parents name, address, PPS number, tax rate, telephone number, signature and the gross amount of the donation. The School in the case of audit by the Revenue Commissioners retains this.

(c) **Location and security:** In a secure, locked filing cabinet and/or computer database that only personnel who are authorised to use the data can access. Limited information regarding contact details is stored on Facility, our administration software, which is password protected and has limited authorised access. Employees are required to maintain the confidentiality of any data to which they have access.

CCTV images/recordings

(a) **Categories:** CCTV is installed externally i.e. entrance doors and internally in public areas such as hall, corridors and social areas as detailed in the CCTV Policy. These CCTV systems may record images of staff, students and members of the public who visit the premises.

(b) **Purposes:** Safety and security of staff, students and visitors and to safeguard school property and equipment.

(c) **Location:** Cameras are located externally i.e. entrance doors and internally in public areas such as hall, corridors and social areas. Recording equipment is located in the reception office of school.

transfers to the Department of Social Protection pursuant to the Social Welfare Acts, transfers to the State Examinations Commission, transfers to the Educational Research Centre, and transfers to the Central Statistics Office pursuant to the Statistics Acts. The data will also be used by the DES for statistical, policy-making and research purposes. However, the DES advises that it does not use individual data, but rather aggregated data is grouped together for these purposes. The DES has a data protection policy which can be viewed on its website (www.education.ie). The DES has also published a "Fair Processing Notice" to explain how the personal data of students and contained in October Returns is processed. This can also be found on www.education.ie (search for Circular Letter 0047/2010 in the "Circulars" section).

- (b) **Purposes:** The school asks parents/guardians and students to complete October Returns for the purposes of complying with DES requirements to determine staffing and resource allocations and to facilitate the orderly running of the school. The main purpose of the October Returns is for the DES to determine whether the student qualifies for English language support and/or additional resources and support to meet their particular educational needs. The October Returns are submitted to the DES electronically. The DES has their own policy governing the security of the data sent to them by all post-primary schools. The co-operation of each student and/or their parents/guardians in completing the October Return is greatly appreciated, as the school's aim is to ensure that each student is assisted in every way to ensure that s/he meets his/her full potential.
- **Location and security:** In a secure, locked filing cabinet and/or computer database that only personnel who are authorised to use the data can access. Limited information regarding contact details is stored on Facility, our administration software, which is password protected and has limited authorised access. Employees are required to maintain the confidentiality of any data to which they have access.

Links to Other Policies and Curriculum Delivery

Our school policies need to be consistent with one another, within the framework of the overall School Plan. Relevant school policies already in place or being developed or reviewed, shall be examined with reference to the data protection policy and any implications, which it has for them, shall be addressed.

The following policies may be among those considered:

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.

Providing Information over the Phone

In our school, any employee dealing with telephone enquiries should be careful about disclosing any personal information held by the school over the phone. In particular, the employee should:

- Check the identity of the caller to ensure that information is only given to a person who is entitled to that information.
- Suggest that the caller put their request in writing if the employee is not sure about the identity of the caller and in circumstances where the identity of the caller cannot be verified.
- Refer the request to the principal for assistance in difficult situations. No employee should feel forced into disclosing personal information.

Implementation Arrangements, Roles and Responsibilities

In our school the board of management is the data controller and the principal will be assigned the role of coordinating implementation of this Data Protection Policy and for ensuring that staff that handle or have access to *Personal Data* are familiar with their data protection responsibilities.

The following personnel have responsibility for implementing the Data Protection Policy:

Name	Responsibility
Board of Management:	Data Controller
Principal:	Implementation of Policy
Teaching personnel:	Awareness of responsibilities
Administrative personnel:	Security, confidentiality
IT personnel:	Security, encryption, and confidentiality

St. David's Holy Faith Secondary School Data Protection Policy.

This policy will be reviewed as necessary and particularly to comply with any relevant legislative changes.

Policy adopted by the Board of Management on Monday, 7th March 2022

Signed: _____
