

St Fintina's Post Primary School

Data Protection Policy

Introduction

This policy was formulated by the steering committee in consultation with staff, students, parents and members of the Board of Management. The policy sets out in detail what data exists on staff, students, parents and members of the board of management and how this data is stored.

Rationale

1. A data protection policy is necessary to fulfil the requirements as outlined in:
 - The Data Protection Acts 1988 and 2003
 - Section 9(g) of the Education Act 1998 which gives parents or students, over 18 years of age, access to records kept by the school in relation to student progress.
 - Section (20) of the Education (Welfare) Act 2000 which emphasises that a school must maintain a register of students attending the school.
 - Section (28) of the Education (Welfare) Act 2000 which specifies that the data controller may supply personal data kept by him/her to the data controller of another prescribed body provided s/he is satisfied that it will be used for a "relevant purpose" only.
2. A policy is necessary to ensure that the school has proper procedures in place in relation to accountability and transparency.
3. It is necessary to record pupil's progress so as to identify learning needs and action taken to address these needs.

Scope

The policy applies to the keeping and processing of personal data, both in manual form and computerised, on school staff and students. It applies to all school staff, board of management, parents/guardians and students.

Relation to the Mission Statement

St Fintina's Post Primary School maintains an open and co-operative relationship amongst teachers, parents and students as a means of providing a supportive environment where students can strive to reach their full potential.

Aims

1. To ensure the school complies with legislative requirements.
2. To ensure that the data protection rights of students, staff and other members of the school community are safeguarded.

3. To clarify the types of records maintained and the procedures relating to making them available to relevant bodies
4. To put in place proper storage and data protection framework on the recording of educational progress of students.
5. To establish clear guidelines on making these records available to parents and to pupils who have reached 18 years of age.
6. To stipulate the length of time records and reports will be maintained

Type of Information

The principal assumes the function of data controller and supervises the application of the Data Protection Acts in the school.

Staff Records

1. Names, addresses, contact details and pps numbers.
2. Attendance records.
3. Details of work record (qualifications, classes taught, subjects and timetable)
4. Copy of contracts in the case of prpt staff.
5. Probationary evaluation reports.
6. Records of appointments to promotion posts
7. Details of in-service attended
8. Supervision and substitution details

Format

These are a combination of manual and computer records and are stored in the office either on the server or in the filing cabinets which have restricted access.

Reasons for keeping such records

They are kept for the following reasons:

- for school administration purposes
- to make returns to the Department of Education and Skills
- to facilitate the payment of staff
- to facilitate the inspectorate

Student Records

1. Name, address, contact details, pps number and date of birth
2. Names and addresses of parents/guardians and their contact details
3. Mother's maiden name
4. Country of birth
5. Religious beliefs
6. Membership of minority groups, where relevant
7. Any relevant special conditions (special needs, health issues etc)
8. Psychological assessments, where relevant.
9. Standardised attainment test results

10. Attendance records
11. School reports and state examination grades
12. Individual Education Plans, where applicable
13. Learning support/Resource data such as progress reports, informal tests and targets attained.
14. A record of subjects studied and levels.
15. Any correspondence with home.
16. Detention and suspension records, where applicable
17. Records of serious injuries or accidents on school grounds or on school related activities
18. Portfolios of work and profiles
19. Medical data and doctor details

Format

These are a combination of manual and computerised records and are stored in the school office with restricted access.

Reasons for keeping such records

- For administrative purposes
- To facilitate contact with home
- To facilitate returns to Meath VEC, the Department of Education and Skills and the National Educational Welfare Board.
- To provide information for parents and teachers
- To ensure eligible students can benefit from relevant additional resources

Board of management records

1. Name, address and contact details of each member.
2. Minutes of board of management meetings and correspondence to the board which may include references to particular individuals.

Format

These are in manual form and are stored in the office.

Reasons for keeping such records

- To enable contact to be made with members
- To document decisions taken by the board.

Arrangements to ensure compliance with data protection

The minimum age at which at which consent can legitimately be obtained for processing and disclosure of personal data is not defined in the Data Protection Acts. However guidance published on the Data Protection Commissioner's website states the following:

"As a general rule in the area of education, a student aged eighteen or older may give consent themselves. A student aged from twelve up to and including seventeen should give consent themselves and, consent should also be obtained from the student's parent or guardian. In the case of students under the age of twelve consent of a parent or guardian will suffice"

1. Data Gathering and Processing

Anybody providing **personal information** is made aware of the following:

- The identity of the person(s) collecting the data
- The purpose in collecting the data
- The persons or categories of persons to whom the data may be disclosed

2. Purpose in Being Stored

The person whose data is being collected is made aware of the reasons why it is being collected and kept.

All personal data is collected and kept lawfully

3. Usage and Disclosure of Data

- a. Data is used for the purpose it was obtained
- b. When a student transfers from the school, the principal will notify the principal of the new school of any problems relating to attendance or educational progress of the student as he deems appropriate.
- c. The school may also share information with the following external bodies:
 - The Department of Education and Skills
 - The Inspectorate
 - The National Educational Psychological Service (NEPS)
 - The National Council for Special Education (NCSE)
 - The National Education Welfare Board (NEWB)
 - Any other recognised school
- d. To transfer data abroad it will have to be consented to by the data subject or his/her next of kin. It may also be transferred to prevent injury or damage to the data subject.

Data can be disclosed when required by law or when requested by an individual himself/herself subject to age restriction

4. Data Storage

- a) Access to information stored is restricted to school management. Teachers may have access to this information, for specific purposes, and with the permission of school management.
- b) Computer systems are password restricted.
- c) Personal information on computer screens and in files is shut down or put away as soon as possible.
- d) Data is backed up once every week.
- e) Personal data no longer required is shredded.
- f) Old computers have their memory wiped before they are disposed of.
- g) The office and school is locked and alarmed when not in use.

5. Data Accuracy

Data held will be as accurate and as up to date as is reasonably possible. If a data subject informs the school of a change of circumstances, their record will be updated as soon as is practicable.

If a data subject should inform the school that personal data is inaccurate then the school will seek to remedy this as quickly as possible but in any case within 40 days.

6. Adequacy and Relevance of Data

Every effort will be made to ensure that data is adequate, relevant and not excessive.

7. Length of Time

Personal data will not be consciously kept for longer than is necessary to fulfil the function for which it was first recorded. There is no hard and fast rule to cover every possible situation and the length of time that data is kept will vary.

- a. School roll books will be kept indefinitely in the school
- b. State examination results will be retained indefinitely in the school
- c. Information on student files will be retained for a period of **six years** subsequent to the student having completed senior cycle and/or having reached 18 years of age

8. Personal Access

The Data Protection Act extends to all data subjects a right of access to their own personal data.

a) Access by students

- Students aged 18 years and older are entitled to access their personal information in accordance with the Data Protection Acts
- Students between 16 and 18 years of age will be given access to their personal information subject to the nature of the information. Parents will be consulted in relation to sensitive information or if the student has

some disability or medical condition that would impair his/her ability to fully understand the information.

b) Procedures and Regulations regarding Access.

- Request must be made in writing to the principal
- Furnish his/her date of birth, PPS number and mobile telephone number
- Specify information required
- The information, if available, will be supplied within 40 days.
- The individual will be informed within 40 days if no information is available

Roles and Responsibility

All staff, under the direction of the principal will monitor and implement this policy. The principal will have overall responsibility for co-ordinating this policy and in ensuring that staff are familiarised with their data protection responsibilities.

Reviewing and Evaluating

This policy will be reviewed in light of new guidelines or legislation, or feedback from parents/guardians, staff or students

Staff consulted on: 26th August 2012

BOM consulted on: 22nd October 2012

Ratified by BOM on: 22nd October 2012

Ratified by VEC on: