

St Canice's Co-Ed National School

Granges Road, Kilkenny.



Data Protection Privacy Statement for Parents, Guardians and Pupils

Individuals have a number of rights in relation to their personal information – i.e. personal data – and these rights were enhanced by the General Data Protection Regulation (GDPR), which came into force on 25th May 2018. This Data Protection Statement describes how we at **St. Canice's Co-Ed. N.S., Kilkenny** collect and process personal data, in accordance with the G.D.P.R. and the school's legal obligations generally in relation to the provision of education. Processing is the legal term used to describe various acts including - the collection, recording, organisation, structuring, storage, alteration, use of, retrieval, disclosure or transmission of information.

This Statement applies to all pupils, staff, parents and guardians. By enrolling your child in and/or by attending **St. Canice's Co-Ed. N.S.**, you acknowledge and agree to the collection and processing of personal information by the school.

Roles and Responsibilities:

The Board of Management is the Data Controller, responsible for personal data. The principal will assume the role of Data Protection Officer (D.P.O.). The school staff, under the direction of the Principal will implement and monitor this policy. Individual teachers will be responsible for all data and records relating to the pupils in their care. The Principal will ensure records are maintained and stored in line with all Data Protection legislation and this includes the records of students transferring to another school.

The Board of Management, along with all school personnel are obliged to comply with the eight key GDPR principles of Data Protection, set out in the Data Protection Acts 1988 to 2018 and G.D.P.R. These can be summarised as follows:

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 the individual on request.

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 and transparency. The policy endeavours to ensure that **St. Canice's Co-Ed. N.S.** complies with legislation relating to Data Protection

The school takes its responsibilities under data protection law very seriously and endeavours to put in place safe practices to safeguard individual's personal data. 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.

Aims/Objectives:

- To ensure the school complies with legislative requirements
- To ensure compliance by the school with the eight rules of data protection as set down by the Data Protection Commissioner based on legislation.
- 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, school personnel and past pupils who are over 18
- To stipulate the length of time records and reports will be retained.

This policy outlines:

1. Who we are and how to contact us;
2. What information we collect, process and retain;
3. The purpose and legal basis for so doing;
4. How information is collected and processed
5. Sharing information with third parties;
6. Data Retention – how long will data on individual be kept
7. Data Breach
8. Transfer of personal information outside the European Union
9. Individual legal rights.

1. WHO WE ARE AND HOW TO CONTACT US

The Board of Management of **St. Canice's Co-Ed. N.S.** is a data controller responsible for personal data - i.e. information relating to an identified or identifiable natural person. The principal of the school assumes the role of Data Protection Officer (D.P.O.). **St. Canice's Co-Ed. N.S.** processes personal data i.e. the school collects, records, stores, retains and uses personal data. **St. Canice's Co-Ed. N.S.** will respond to any questions in relation to this data protection statement and our approach to privacy.

If you have any questions about this data protection statement, including any request to exercise your legal rights, please contact us using the details below:

principal@stcanicesschool.ie

2. INFORMATION COLLECTED

St. Canice's Co-Ed. N.S. may collect the following personal information on pupils, staff and parents/guardians:

(i) Pupil Information

- Personal details such as name, address, date of birth, gender, P.P.S. number, nationality, emergency contact information and information in relation to the pupil's family as may be required,
- Any Special Education Needs (SEN),
- Any Child Protection information,
- Academic records, school reports, pupil learning needs, pupil behaviour needs, permission for access to educational reports, individual education and learning support plans,
- Personal pupil profiles (including whether English is the pupil's first language or if exempt from any subjects e.g. Irish or religion),
- Psychological referral/assessment documentation and permission for access to psychological reports,
- Information for the Primary Online Database (POD),
- Information for Special Educational Needs Organiser (SENO),
- Information for TUSLA (the Child and Family Agency) and/or the Health Service Executive (HSE),
- Attendance records and explanatory notes in relation to absences,
- Disciplinary records including notes that may be held by the teacher(s), incident and accident reports, investigations and sanctions if imposed,
- Permission notes in respect of school activities e.g. school tours/trips and outings, extra-curricular activities, (including Curricular, RSE/Stay Safe Programme(s)),
- Photographs and recorded images of pupil(s) (including at school events),
- School Transport information,
- CCTV footage and other information obtained through electronic means

(ii) Sensitive Personal Information – Pupils

St. Canice's Co-Ed. N.S. may collect and process the following special categories of more sensitive personal information such as:

- Information about pupil's health, medical certificates, medical needs, allergies and consent for administration of medicine,
- Religious belief and confirmation of engagement or not in Religious Sacraments,
- Membership of the Traveller Community,
- Racial or Ethnic origin.

(iii) Staff Data

- Personal contact details such as name, title, address, telephone numbers and personal email address, date of birth, gender, emergency contact details and information in relation to family as may be needed required;
- PPS number, bank account details, teacher number;
- Start date of employment, recruitment information (including copies of Garda vetting information; Teaching Council registration information;

references and other personal data included in a CV and cover letter as part of the application process);

- Complaint(s), grievance(s), investigations, disciplinary and sanction(s) records (if imposed), (in line with relevant DES Circular/statutory provisions);
- Details of approved absences (including career breaks, parental leave, study leave);
- Information relating to promoted posts, summer/professional development courses and course certificates, details of qualifications, classes taught;
- Attendance and absences records, together with all information collected for the On-Line Claim System (OLCS);
- Incident and accident reports;
- Reports made by staff members / members of the Board of Management to third party agencies or State agencies / departments, including mandatory reporting responsibilities under relevant legislation and the Department of Education and Skills (DES) Child Protection Procedures;
- Photographs and recorded images of staff (including at school events);
- CCTV footage and other personal data obtained through electronic means;
- Personal data concerning health, including any medical conditions, health and sickness records, medical certificates, Medmark referral forms, confirmations and reports and details of any accidents/injuries

(iv) Parent / Guardian Information

St. Canice's Co-Ed. N.S. may collect and process the following personal information from parents/guardians such as:

- Contact details of parent / guardian e.g. name, address, email address, telephone number(s)
- Information regarding legal orders in respect of any family law disputes in respect of guardianship, custody or access,
- Occupation and nationality,
- Number of children, position of pupil(s) in family,
- Consent in respect of medical/other emergencies,
- Consent in respect of school activities e.g. school tours/trips and outings, extra-curricular activities,
- Consent to publish photographs and schoolwork of pupils on school website / print media etc,
- Records, correspondence or notes arising from interaction with Parents / Guardians,
- Consent to acceptance of school policies.

(v) Administrative Data

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

3. PURPOSE & LEGAL BASIS FOR COLLECTING & PROCESSING INFORMATION

St. Canice's Co-Ed. N.S. collects and processes personal information (as listed above) about pupils, staff and parents/guardians for a variety of purposes and relies on a number of legal grounds to do so. **St. Canice's Co-Ed. N.S.** requires this information to perform our duties and responsibilities and to comply with our legal and statutory obligations. In addition, the school requires this personal information to pursue the legitimate interests of the school and our dealings with relevant third parties (see below). The legitimate interests upon which we rely is the effective operation and management of our school and managing the education and welfare needs of our pupils. We process personal data on the basis of the following lawful purposes:

a) Legal Obligation

St. Canice's Co-Ed. N.S. collects and process personal information to comply with our legal and statutory obligations, including, but not limited to those under the Education Act 1998 (as Amended), the Education (Welfare) Act 2000, the Education for Persons with Special Needs (EPSEN) Act 2004, the Health Act 1947, the Children First Act 2015, the Child Protection Procedures for Primary and Post-Primary Schools 2017, the Teaching Council Acts 2001-2015 and Safety Health and Welfare at Work legislation

b) Legitimate Interests

St. Canice's Co-Ed. N.S. may also process personal information in order to:

- Enable Pupils to develop to their full potential and meet the educational, social, physical and emotional requirements of the pupil,
- Enable Parents and Guardians to be contacted in the case of emergency, school closures and to inform Parents and Guardians of their child's educational progress,
- Secure and benefit from the support and services of relevant third parties.

c) Consent

St. Canice's Co-Ed. N.S. may sometimes process some of our pupils' personal information with consent e.g. photograph which may be displayed on the school's website or on social media platforms or in the print media. Please note that consent can be withdrawn at any time by contacting the school.

4. HOW PERSONAL INFORMATION IS COLLECTED

(i) Pupils

St. Canice's Co-Ed. N.S. collects personal information about pupils through the enrolment process and/or through expressions of interest in relation to enrolment. Additional information is collected from third parties, including former schools and through school activities and general interaction(s) during the course of the pupil's time at our school.

(ii) Staff

St. Canice's Co-Ed. N.S. collects personal information about staff through the appointment process. Additional information is collected during the course of the staff member's employment in our school.

(iii) Parents and Guardians

St. Canice's Co-Ed. N.S. collects personal information about parents and guardians through the enrolment process or expressions of interest for enrolment. We collect additional personal information through general interaction during the course of the pupil's time at our school.

The school will publish a Data Privacy Statement on all enrolment forms and on other forms used to collect personal data. (see **Appendix 1- School/ Application Form - Data Privacy Statement** and **Appendix 2- Data Privacy Statement**). The data Protection Policy will be published on the school website.

5. INFORMATION AND THIRD PARTIES

St. Canice's Co-Ed. N.S. may receive from, share and/or transfer information to a range of third parties such as the following:

- ***The Department of Education and Skills***
- ***TUSLA / the Child and Family Agency***
- ***The National Council for Special Education***
- ***National Educational Psychological Service (NEPS)***
- ***Department of Social Protection and/or other state benefit providers***
- ***An Garda Síochána***
- ***School Insurance Provider***
- ***H.S.E.***
- ***Third Party Service Providers:*** We may share personal information with third party service providers that perform services and functions at our direction and on our behalf such as our accountants, IT service providers including, printers, lawyers and other advisors, and providers of security and administrative services, including data processing / cloud storage service providers e.g. **Aladdin** – our cloud storage service provider
- ***Fr. McGrath Centre*** - Homework Club co-ordinators,
- ***Local Secondary Schools***
- ***Fundraising Ventures*** eg. design a card

6. DATA RETENTION

We will only retain personal information for as long as it is necessary to fulfil the purposes for which the information was collected, including any legal, accounting or reporting requirements. (**See Appendix 3- Data Retention Period for Schools**). This will be reviewed following consultation at our Croke Park meeting in 2022-2023

7. DATA BREACH

A data breach occurs where an incident gives rise to a risk of unauthorised disclosure, loss, destruction or alteration of personal data in manual or electronic form. In this instance the data controller of **St. Canice's Co-Ed. N.S.** must inform the Office of the Data Commissioner within 72 hours of the breach, who will advise the data controller accordingly.

8. TRANSFER OF PERSONAL INFORMATION OUTSIDE THE EUROPEAN UNION

St. Canice's Co-Ed. N.S. may transfer the personal information we collect to countries outside the EU. Where there is no adequacy decision by the European Commission in respect of any such country that means that that country is deemed not to provide an adequate level of protection for your data. However, to ensure personal information does receive an adequate level of protection we will in such circumstances put in place appropriate measures such as the use of model contractual clauses as approved by the European Commission to ensure personal information is treated by those third parties in ways that are consistent with respect to EU and Irish Laws on Data Protection.

9. INDIVIDUAL RIGHTS

Individuals have several rights under GDPR which in certain circumstances are limited and/or constrained. These individual rights include the right, free of charge and subject to any limitations to apply to the Data Controller to request access to their data. The individual must make this request in writing (**See Appendix 4 – Personal Data Access Request Form**) and the data controller will deal with the request within 21 days. A Personal Data Access Request may be made to...

1. Request a copy of the personal information held about the individual;
2. Rectify any inaccurate personal data held about the individual;
3. Erase personal information held about the individual;
4. Restrict the processing of individual personal information;
5. Object to the use of individual personal information for our legitimate interests;

6. Receive individual personal information in a structured commonly used and machine-readable format and to have that data transmitted to another data controller.

If you wish to exercise any of these rights please contact us at the school as outlined by email to: **principal@stcanicesschool.ie**

We will endeavour to respond to your request within a month. If we are unable to deal with your request within a month we may extend this period by a further two months and we will explain why.

You also have the right to lodge a complaint to the office of the Data Protection Commission:

Data Protection Commission,
21 Fitzwilliam Square,
South Dublin 2.
D02 RD28
Tel: 0761 104 800 / 057 868 4800
www.dataprotection.ie

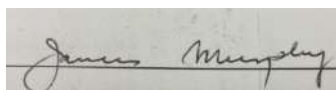
Implementation/Ratification and Review

This statement was ratified by the school's Board of Management at their meeting on October 25th 2022. The ratified policy will be available on our school website and notice of this will be communicated to all members of the school community.

The statement will be reviewed on an ongoing basis taking into account feedback from the school community and other developments in the area of GDPR. Any updates to this policy will be made available and, where appropriate notified to you.

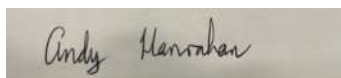
Signed on behalf of the Board of Management:

Chairman:



Date: 25th October 2022

Principal:



Date: 25th October 2022

APPENDIX 1

St Canice's Co-Ed National School

Granges Road, Kilkenny.



School Application Form - Data Privacy Statement

The information provided on this form will be used by **St Canice's Co-Ed. National School** to apply the selection criteria for enrolment and to allocate school places in accordance with the School's Admission Policy and the School's Annual Admission Notice.

Where a pupil is admitted to the school, the information will be retained on the pupil's file.

On acceptance of an offer of admission, this information will be entered in the School Administration System Aladdin and will be uploaded to the Primary Online Database. The Primary Online Database (POD) is a nationwide individualised database of primary school pupils, hosted by the Department of Education and Skills.

In the event of oversubscription, a waiting list of students whose applications for admission to St Canice's Co-Ed National School were unsuccessful due to the school being oversubscribed will be compiled, and will remain valid for the school year in which admission is being sought (See Section 13 – or relevant section – School Admission Policy).

Where a child's name is placed on a waiting list, and the child is not admitted to the school, the information provided on this form will be retained for the duration of the school year and will be securely destroyed thereafter.

Section 66(6) of the Education (Admission to Schools) Act 2018 allows for the sharing of certain information between schools in order to facilitate the efficient admission of students. The information which may be provided to a patron or another Board of Management for this purpose may include all or any of the following:

- (i) the date on which an application for admission was received by the school;
- (ii) the date on which an offer of admission was made by the school;
- (iii) the date on which an offer of admission was accepted by an applicant;
- (iv) a student's personal details including his or her name, address, date of birth and personal public service number (within the meaning of section 262 of the Social Welfare Consolidation Act 2005).

APPENDIX 2

St Canice's Co-Ed National School

Granges Road, Kilkenny.



St Canice's Co-Ed. N.S. Data Privacy Statement

The information provided on this form will be used by **St Canice's Co-Ed. National School** in manual and/or electronic format. The information will be processed in accordance with the Data Protection Legislation and the General data protection Regulation 2018..

The purpose of holding this information is.....(the relevant purpose of the collection of data to be inserted here eg. *for administration, to facilitate the school in meeting the student's educational needs etc.*

Disclosure of any this information to statutory bodies such as the Department of Education or its agencies will take place only in accordance with legislation or regulatory requirements. Explicit consent will be sought from Parents /Guardians or personnel over the age of 18 if the school wishes to disclose this information to a third party for any other reason.

Parents/Guardians of students, and staff have a right to access the information held on them and to correct it if necessary.

APPENDIX 3

St Canice's Co-Ed National School



Data Retention Periods for Schools

Pupil Related	Retention Periods
School Register/Roll Books Enrolment Forms Disciplinary notes Test Results – Standardised Psychological Assessments etc. SEN Files/IEPS Accident Reports Child Protection Reports/Records S.29 Appeals	Indefinitely Hold until Pupil is 25 Years Never Destroy Hold until pupil is 25 Years Never Destroy Never Destroy Never Destroy Never Destroy Never Destroy
Interview Records	Retention Period
Interview Board Marking Scheme Board of Management notes (for unsuccessful candidates)	18 months from close of competition plus 6 months in case Equality Tribunal needs to inform school that a claim is being taken
Staff Records	Retention Period
Contract of Employment Teaching Council Registration Vetting Records Accident/Injury at work Reports	Retention for duration of employment + 7 years (6 years to make a claim against the school plus 1 year for proceedings to be served on school)
Board of Management Records	Retention Period
BOM Agenda and Minutes CC TV Recordings Payroll & Taxation Invoices/receipts Audited Accounts	Indefinitely 28 days normally. In the event of criminal investigation – as long as is necessary Revenue require a 6-year period after the end of the tax year Retain for 7 Years Indefinitely
<i>Why, in certain circumstances, does the Data Protection Commission recommend the holding of records until the former pupil has attained 25 years of age? The reasoning is that a pupil reaches the age of majority at 18 years and that there should be a 6-year limitation period in which it would be possible to take a claim against a school, plus 1 year for proceedings to be served on a school. The Statute of Limitations imposes a limit on a right of action so that after a prescribed period any action can be time barred.</i>	

APPENDIX 4
St Canice's Co-Ed National School
Granges Road, Kilkenny.



PERSONAL DATA ACCESS REQUEST FORM

Full Name:	
Maiden Name (<i>if name used during your school duration</i>)	
Address:	
Contact number *	Email addresses *

* We may need to contact you to discuss your access request

Please tick the box which applies to you:

Parent/ Guardian of current Pupil <input type="checkbox"/>	Former Pupil <input type="checkbox"/>	Current Staff Member <input type="checkbox"/>	Former Staff Member: <input type="checkbox"/>
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Name of Pupil/ Staff member:		Date of Birth of Pupil:	
Insert Year of leaving:		Insert Years From/To:	

DATA ACCESS REQUEST:

I, wish to make an Access Request for a copy of personal data that **St. Canice's Co-Ed. N.S.** holds about me/my child. I am making this access request under Data Protection Acts 2013 to 2018

To help us to locate your personal data, please provide details below, which will assist us to meet your requirements e.g. description of the category of data you seek

Any other information relevant to your access request (e.g. if requesting images/recordings made by CCTV, please state the date, time and location of the images/recordings as otherwise it may be very difficult or impossible for the school/ETB to locate the data)

This **Access Request** must be accompanied with a copy of photographic identification e.g., passport or drivers licence. I declare that all the details I have given in this form are true and complete to the best of my knowledge.

Signature of Applicant Date:

Please return this form to the relevant address:

To:
Chairperson of Board of Management,
St. Canice's Co-Ed. N.S.,
Granges Road,
Kilkenny.

Or

ETB Head Office: Chief Executive Officer