



# ***Data Protection Policy***

## ***2016***

## Data Protection and Record-keeping Policy

### **Introduction:**

This policy was formulated by Staff and Board of Management of Kilmurry NS. 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 and 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 and transparency.
- 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, Section 9g requiring a school to provide access to records to students over 18/parents
  - Education Welfare Act – requiring a school to report school attendance and transfer of pupils.
  - Data Protection Act 2003
  - Freedom of Information Act 1997
  - The National Strategy to improve Literacy and Numeracy among Children and Young People 2011 – 2020

### **Details of arrangements in place to ensure 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.

### **Relationship to School Ethos:**

Kilmurry NS promotes openness and co-operation between staff, parents and pupils as a means towards providing the caring environment through which a child can develop and grow to his full potential.

### **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 progress of pupils.
- To establish clear guidelines on making these records available to parents and past pupils who are over 18.
- 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.

**1. 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 School's Office. Information such as name, address, contact numbers and registration numbers on pupils are stored in both hard and soft copy format.

***Student Records:***

The student records listed below are stored in the following locations:

Type of Data	Filed	Access to Information
• Personal details of the student	School office in a filing cabinet	Principal and teachers
• Medical sensitive data	School office in a filing cabinet	Principal and teachers
• School report cards	School office in a filing cabinet	Principal and teachers
• Psychological/Clinical/Occupational Therapy/Speech and Language Assessments	School office in a filing cabinet	Principal and teachers
• Standardised Test Results	School office in a filing cabinet	Principal and teachers
• Screening Tests- MIST & NRIT	School office in a filing cabinet	Principal and teachers
• Diagnostic Tests	School office in a filing cabinet	Principal and teachers
• Attendance Records	School office in a filing cabinet	Principal and teachers
• Teacher designed tests	Class teachers retain copies	Class teacher
• Individual Education Plans	School office in a filing cabinet	Principal and teachers
• Pupil Portfolios	Class teachers retain copies	Principal and teachers
• Incidents- Behavioural/ Accidental	School office in a filing cabinet	Class teacher

## **2. Administrative Data:**

- Attendance Reports, Registers, Roll Books, Pupil Profiles, Enrolment Applications, Baptismal Certs, Birth Certificates – in the school office
- Correspondence between parents and teachers
- Accident Report Book- in the staff room
- Administration of Medicines Indemnity Form – in the school office
- Pupil behaviour records and records of allegations/ incidents of bullying and alleged bullying- in school office
- Records in line with Children First Procedures (Child Protection) – in school office
- Policies – in the school office
- HSE files – in the school office
- Board of Management files – in the school office
- Accounts – in the school office.

### ***Board of Management records:***

- Name, address and contact details of each member of the Board of Management, such details will be made available to the Trustees, the Bishop of Kerry.
- 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;

- 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)
- The Board of Management of Kilmurry NS

Each parent signs a Permission Slip on their child's registration in Kilmurry NS this gives permission to the school to share non sensitive information to outside bodies such as the HSE and relevant Secondary schools.

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.

The Annual School Report format and its communication to parents are outlined clearly in our school. A standardised school report form is used which is issued by post in early June along with results of standardised testing of pupils from 1<sup>st</sup> to 6<sup>th</sup> classes.

### 3. **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.

These records are kept in the School'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.

### 4. **Students' Attendance Records**

Pupils' attendance will be recorded and stored on the Aladdin software administration system.

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.

## **5. Student Records:**

Student records maintained under the Data Protection Policy will include:

- A. *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 School Office.
- B. *Psychological Assessments.*** Reports issued following psychological assessment are securely stored in the School's Office. Reports issued following other assessments such as Occupational Therapy, Speech & Language, Medical etc. are also stored in the School's Office.
- C. *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 securely stored in the child's file in the School Office. The Principal 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 School's Office.
- D. *Screening Tests.*** The MIST (Middle Infant Screening Test) Assessment is administered to all Senior Infant children in February/March of each year. Class record sheets are securely stored in the child's file in the School Office by the Principal.
- E. *Teacher – designed tests.*** Results of teacher designed tests are securely stored by the teacher.
- F. *Diagnostic Test Reports.*** Diagnostic tests are administered by the Learning Support Teachers, Resource Teachers. Results from these assessments are securely stored in the child's file in the School Office.
- G. *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, relevant Support Teachers in the child's file in the School Office.
- H. *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.
- I. *Class Records.*** Class records are updated regularly. Class record sheets are stored securely in class folders in teachers' classrooms.
- J. *Portfolios*** of student work e.g. Art, Written work are stored securely by the Class Teacher.
- K. *Attendance Records.*** Attendance details are included in school's computerized data management system (Aladdin). Computerised records are securely stored in a password protected folder.
- L. *Record of child's breaches of Code of Behaviour.*** Incidents of misbehaviour in the playground are recorded on White Cards and stored in the School's office. Each Class Teacher keeps a record of classroom incidents. The Principal maintains a record of incidents brought to his attention.
- M. *Records of serious injuries/accidents.*** The accident Report Book is securely stored in the Staff Room. The teacher on supervision records details of accidents and injuries sustained and action taken.
- N. *Indemnity Form for Administration of Medicine.*** These forms are retained in the School's office.

**O. Certificates of Exemption from the Study of Irish.** Copies of certificates are securely stored in the child's file in the School Office.

**Storage:**

All records are stored until the past pupil reaches the age of 18 and those with Special Needs until the age of 23.

A pupil profile and selection of records are held by each teacher in his/her individual classroom and passed on to the next teacher as the child moves to the next class.

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

Computerised records, systems are password protected. Records are backed up to an external hard drive regularly and this hard drive is stored in the school office

**Access to Student 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:**

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. Each parent signs a Permission Slip on their child's registration in Kilmurry NS this gives permission to the school to share non sensitive information to outside bodies such as the HSE and relevant 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.

**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. Individual teachers will design, administer and record all in-class testing. The Principal will ensure records are maintained and stored, particularly the records of students transferring to another school.

**Implementation Data:**

This new policy is effective from \_\_\_\_\_.

All records held from before that date will continue to be maintained in the school.

**Communication & Review:**

The policy will be available on the school website and through the office. It will be subject to review as the need arises.

**Ratification:**

The policy was ratified by the Board of Management on the \_\_\_\_\_

It was reviewed on the: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**Chairperson of the Board of Management****References:**

- Solas (CPSMA) May-June 2001
- Education Act 1998
- Education Welfare Act 2000
- Data Protection Act 2003
- Freedom of Information Act