



St. Columba's College

St. Columba's College, Dublin

Data Protection Policy

1 INTRODUCTION

The Data Protection Policy applies to personal data held by the school and which is protected by the Data Protection Acts 1988 and 2003.

This policy applies to all College staff, the Board of Management, the Fellows, parents/guardians, pupils and others (including prospective or potential pupils and their parents/guardians and applicants for staff positions within the College) 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 sensitive personal data will be protected by the College.

All personal information will be processed in a manner that complies with the following principles:

- Information will be obtained and processed fairly.
- Information will be kept only for specified and explicit lawful purposes.
- Information will only be used or disclosed in a manner consistent with these purposes.
- Information will be kept safe and secure, and those working with the information are trained as to their responsibilities in this regard.
- Information will be kept accurate, up-to-date and complete. Pupils, parents/guardians, and/or staff should inform the College of any change which should be made to ensure the individual's data is accurate, complete and up-to-date. Once informed, the College will make all necessary changes to the relevant records.
- Information that is stored will be adequate, relevant and not excessive.
- Information will be retained no longer than is necessary for the purpose 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, general, but limited, information regarding pupil achievement may be retained for the purposes of historical records.

The College will comply with Department of Education and Skills guidelines on the storage of Personal Data and Sensitive Personal Data relating to a pupil. 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 College 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.

- A copy of personal data will be provided to individuals on request.

The College is committed to adhere to the provisions of the Data Protection Acts 1988 and 2003, and in doing so to afford adequate protection to all pupils, parents/guardians and employees with regard to their personal information held by the College.

2 LEGAL OBLIGATIONS

Implementation of this policy takes into account the College's legal obligations and responsibilities. Some of these are directly relevant to data protection.

- Under Section 9(g) of the Education Act, 1998, the parents of a pupil, or a pupil who has reached the age of 18 years, must be given access to records kept by the school relating to the progress of the pupil in their education.
- Under Section 20 of the Education (Welfare) Act, 2000, the school must maintain a register of all pupils attending the College.
- Under section 20(5) of the Education (Welfare) Act, 2000, the Warden is obliged to notify certain information relating to the child's attendance in school and other matters relating to the child's educational progress to the Principal of another school to which a pupil is transferring.
- Under Section 21 of the Education (Welfare) Act, 2000, the College must record the attendance or non-attendance of pupils registered at the school on each school day.
- Under Section 28 of the Education (Welfare) Act, 2000, the College may supply Personal Data to certain prescribed bodies (the Department of Education and Skills, the Child and Family Agency (Tusla), the National Council for Special Education, other schools, third level institutions or other centres of education) provided the School is satisfied that it will be used for a "relevant purpose".

- 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 include Special Educational Needs Organisers (SENOs)) such information as may from time to time be reasonably requested.
- The Freedom of Information Act 1997, 2014 (and subsequent amendments) provides a qualified right to access to information held by public bodies. 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) 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 for the purposes of general health provision.
- Under Children First: National Guidance for the Protection and Welfare of Children (2011) the College is obliged to report suspected child abuse or neglect to TUSLA (or in the event of an emergency to An Garda Síochána).
- The College will make returns to the Department of Education and Skills (“DES”) referred to as “October Returns” using the Post Primary On-line Database. These October Returns will include sensitive personal data regarding personal circumstances which are provided by parents/guardians on the Pupil Details Form. The October Returns contain individualised data (such as an individual pupil’s PPS number) which acts as an “identifier” for the DES to validate the data that belongs to a recognised pupil. The DES also transfers some of this data to other government departments and other State bodies to comply with legislation, such as 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.

3 PERSONAL DATA

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

A Staff records:

Categories of staff data: As well as existing and former members of staff, these records may also relate to applicants for positions within the College and student teachers. These staff records may include:

- name, address, contact details and PPS number
- original records of application and appointment to posts
- details of approved absences
- details of work record
- 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 College (or its employees) may 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).

Purposes: Staff records are kept for the purposes of:

- the management and administration of school business (now and in the future)
- facilitating the payment of staff, and calculations other benefits/entitlements
- human resources management
- recording promotions made (documentation relating to promotions applied for) and changes in responsibilities
- enabling 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)
- enabling 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
- complying with legislation relevant to the school.

Location: Staff records are held in both manual and electronic form. Such files are kept in secure filing cabinets that only personnel who are authorised to use the data can access or in electronic form that is password protected. Employees are required to maintain the confidentiality of any data to which they have access.

B Pupil Records:

Categories of pupil data: These may include:

- information sought and filed on a Registration Form, Confirmation of Entry Form or Pupil Details form (completed on admission)

These records may include:

- name, address, contact details and PPS number
- date and place of birth
- names and addresses of parents/guardians and contact details (including any special arrangements with regard to guardianship, custody or access)
- religious affiliation
- whether pupils (or their parents) are medical card holders
- birth certificate
- academic record: subjects studied, class assignments, examination results, official school reports, records of significant achievements, previous academic record or references
- information collated and compiled during the course of the pupil's time in the school including:
 - psychological, psychiatric and/or medical assessments
 - attendance records
 - photographs and recorded images of pupils
 - records of significant achievements
 - subject exemptions or special pupil needs
 - records of disciplinary issues/investigations and/or sanctions imposed
 - records of meetings or interactions with teachers for the purposes of pastoral care or general welfare
 - records of meetings or interactions with boarding staff
 - medical records
- photographs and articles recording pupil endeavour and success which may appear in Yearbook, College website or Newsletter
- records of any reports the school (or its employees) have made in respect of the pupil to State departments and/or other agencies under mandatory reporting legislation and/or child safeguarding guidelines (subject to the DES Child Protection Procedures).

Purposes: The purposes for keeping pupil records are:

- to enable each pupil to develop to their full potential
- to comply with legislative or administrative requirements
- to ensure that eligible pupils can benefit from the relevant additional teaching or financial supports
- 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 pupil
- to provide pupil support in boarding
- to ensure that the pupil meets the school's admission criteria
- to ensure that pupils meet minimum age requirements courses
- to ensure that any pupil seeking an exemption from Irish meets the criteria in order to obtain such an exemption from the authorities
- to furnish documentation/ information about the pupil to the Department of Education and Skills, the National Council for Special Education, Tusla, and other Schools in compliance with law and directions issued by government departments
- to furnish, when requested by the pupil (or their parents/guardians in the case of a pupil under 18 years) documentation/information/ references to third-level educational institutions and/or prospective employers.
- to celebrate school and pupil achievements in the College magazine, yearbooks, the school website, record school events, and to keep a record of the history of the school.

Location: Pupil records are held in both manual and electronic form. Such files are kept in secure filing cabinets that only personnel who are authorised to use the data can access or in electronic form that is password protected. Employees are required to maintain the confidentiality of any data to which they have access.

C Parent Records

The College does not keep personal files for parents or guardians. However, information about, or correspondence with, parents may be included in the files for each pupil. This information shall be treated in the same way as any other information in the pupil file and may be accessed similarly.

The College keeps financial records which include records of fees paid. These records are administered by the Bursar and are treated as strictly confidential. Parents are entitled to contact the school to seek details of their financial record, and shall be facilitated in such a way that the financial record of no other parent or family is divulged.

D Board of Management Records:

Minutes of Board meetings shall record attendance, items discussed and decisions taken, and will be kept safely and securely. Board of Management business shall be considered confidential to the members of the Board of Management.

Purposes: To enable the Board of Management to operate in accordance with the Education Act 1998 and other applicable legislation and to maintain a record of Board decisions.

E Fellows' Records

Minutes of Fellows' meetings, and all sub-committees of the Fellows shall record attendance, items discussed and decisions taken, and will be kept safely and securely. Fellows' business shall be considered confidential to the members of the Fellows.

Purposes: To enable the Fellows to exercise the proper management and financial control of St. Columba's College, Dublin.

4 CCTV IMAGES AND RECORDINGS

CCTV is installed in St. Columba's College. The CCTV systems may record images of staff, pupils and members of the public who visit the campus.

Purposes: for the safety and security of staff, pupils and visitors and to safeguard pupil property, school property and equipment. On occasion, CCTV footage may be looked at for evidence of disciplinary breaches by members of the College.

Location: Cameras are located in external areas of the College grounds. Cameras are specifically placed outside buildings, especially boarding houses, covering entrances and roadways.

Security: Access to images/recordings is restricted to the Bursar, the Warden, Sub-Warden and Housemasters/mistresses. Recordings are retained for approximately 14 days, except if required for the investigation of an incident. Images/recordings may be viewed or made available to An Garda Síochána pursuant to section 8 Data Protection Acts 1988 and 2003.

5 DATA ACCESS REQUESTS

Requests for access to personal data may be made under Section 4 of the Data Protection Act by completing a St. Columba's College Data Request Form. Individuals are entitled to a copy of their personal data on written request (subject to some exemptions and prohibitions set down in Section 5 of the Data Protection Act).

Where a subsequent or similar request is made soon after a request has just been dealt with, it is at the discretion of the College as data controller to comply with the second request. This will be determined on a case-by-case basis.

No personal data can be supplied relating to another individual unless that third party has consented to the disclosure of their data to the applicant. Data will be carefully redacted to omit references to any other individual and, where it has not been possible to redact the data to ensure that the third party is not identifiable, the school will refuse to furnish the data to the applicant.

Approved by the Board of Management and Fellows
St. Columba's College, Dublin
January 2016