

St. John of God School



Data Protection Policy

January 2019



Data Protection Policy

Introductory Statement

This data protection policy was drafted by the teaching staff of St John of God School.

The school's data protection policy sets out, in writing, the manner in which personal data of staff, pupils and other individuals (e.g. parents, members of board of management etc.) is kept and how the data concerned is protected.

Scope

The policy applies to the keeping and processing of personal data, both in manual form and on computer, including personal data held on both school staff and pupils.

Data: means information in a form which can be processed. It includes automated data (information on computer or information recorded with the intention of putting it on computer) and manual data (information that is kept as part of a relevant filing system, or with the intention that it should form part of a relevant filing system).

Relevant filing system: means any set of information that, while not computerised, is structured by reference to individuals, or by reference to criteria relating to individuals, so that specific information relating to a particular individual is readily accessible.

Personal data: means data relating to a living individual who is or can be identified from the data or from the data in conjunction with other information that is in, or is likely to come into, the possession of the data controller.

Data Controller: A data controller is the individual or legal entity which controls the contents and use of personal data. The Board of Management of the school is the data controller, with the Principal acting on a day-to-day basis in operational matters.

The policy applies to all school staff, the board of management, parents/guardians, pupils and others insofar as the measures under the policy relate to them.

Rationale

It is necessary to devise a data protection policy at this time because:

- Schools are obliged to comply with the Data Protection Act, 1988 and the Data Protection (Amendment) Act, 2003 (henceforth referred to as the Data Protection Acts)
- 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 his or her education.
- Under Section 20 of the Education (Welfare) Act, 2000, the school must maintain a register of all pupils attending the school.
- Under Section 21 of the Education (Welfare) Act, 2000, the school 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 data controller may supply personal data kept by him or her, or information extracted from such data, to the data controller of another prescribed body if he or she is satisfied that it will be used for a "relevant purpose" only. See Section B.3 under Key Measures below.



Relationship to characteristic spirit of the school (school's mission/vision/aims)

Mission Statement

Real Education for Real Life

St. John of God School is a co-educational, Catholic, Special School which strives to provide a well-ordered, happy and secure atmosphere where the intellectual, spiritual physical, moral and cultural needs of the pupils are identified and addressed. We are engaged in the provision of special education to children. The School's Mission Statement is "Real Education for Real Life". As St. John of God School is a school with a Catholic ethos we strive to develop a spiritual and good moral foundation, it also has due recognition for all other religions. We obtain and process personal data in order to deliver education. School believes that respecting privacy is just one way in which the ethos of the School can be expressed. St John of God School is a school established under the Education Act 1998. St. John of God School will encourage the involvement of parents in a spirit of partnership. St John of God School is a data controller as defined in the Data Protection Act 2018. The School collects and processes much personal data in the course of its day-to-day activities. The purpose of holding this information is to ensure the School is meeting the pupil's educational needs and ensuring that the School is managed and administered appropriately. We have prepared a Data Protection Policy setting out what information we collect, why we collect it, and how the information is used and shared. Our Data Protection Policy sets down the arrangements in place 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.

Goals/Objectives

The objectives include the following:

1. To ensure that the school complies with the Data Protection Acts.
2. To ensure compliance by the school with the eight rules of data protection as set down by the Data Protection Commissioner based on the Acts (see below).
3. To ensure that the data protection rights of pupils, staff and other members of the school community are safeguarded.

Key measures (content of policy)

The policy content is divided into two sections as follows:

- A. Details of all personal data which will be held, the format in which it will be held and the purpose(s) for collecting the data in each case.**
- B. Details of the arrangements in place to ensure compliance with the eight rules of data protection.**



A. Details of all personal data which will be held, the format in which it will be held and the purpose(s) for collecting the data in each case

The following section gives a general idea of the sort of personal data records held by the school, and an explanation as to the purpose for which they are held:

Staff records (including, where relevant, volunteers, trainee teachers on work-experience/work-placement etc): These may include:

- Name, address and contact details, PPS number, Teaching Council number
 - Contact details of next of kin (in case of emergencies)
 - Original records of application, appointment, promotion, posts etc.
 - Record of appointments to promotion posts
 - Details of approved absences (career breaks, parental leave, study leave etc.)
 - Details of work record (qualifications, classes taught, subjects etc.)
 - Details re sick-leave and/or health and safety documents (including occupational health referrals and associated documents)
 - Garda Vetting outcomes (per ODPC retention period)
 - Medical Certificates, occupational health documentation, Accident logs
 - Safeguarding records
 - Details of complaints and/or workplace procedures, and/or grievances including consultations or competency discussions, action/improvement/evaluation plans and record of progress.
- Note:** a record may be maintained which is distinct from and separate to individual personnel files.

The format in which these records will be kept is a manual record (personal file within filing system), computer record (database) or both.

Purpose for keeping staff records may include: to facilitate the payment of staff, to comply with DES circulars, to comply with employment-law legislation and other legislation and applicable in the context of working with children and vulnerable adults (including vetting, health and safety etc), to maintain a record of work and promotions, to facilitate pension payments in the future, for verification and dispute resolution purposes, etc.

Pupil records: These may include:

- Information which may be sought and recorded at enrolment, including:
 - name, address and contact details, PPS number
 - names and addresses of parents/guardians and their contact details
 - religious belief
 - racial, ethnic or national origin
 - membership of the Traveller community, where relevant
 - any relevant special conditions (e.g. special educational needs, health issues etc.) which may apply
- Information on previous academic record
- Psychological assessments or other professional assessments relevant to special education and/or medical details, such as reports, behaviour support plans etc.
- Attendance Records
- Academic record – subjects studied, class assignments, examination results as recorded on official school reports
- Records of significant achievements
- Records of disciplinary issues, school-place procedures, and/or sanctions imposed
- Other records e.g. records of any injuries/accidents etc.
- Other relevant medical information, care plans etc.
- Extracts of family law documents only insofar as they are relevant to the school

The format in which these records will be kept is a manual record (personal file within filing system), computer record (database) or both.



Purpose for keeping pupil records may include: to enable each pupil to develop his/her full potential, to meet the child's needs within the School, to comply with legislative or administrative requirements, to ensure that eligible pupils can benefit from the relevant additional teaching or financial supports, to support the provision of religious instruction where appropriate, to enable parent/guardians to be contacted in the case of emergency, to assess and support academic progress, to develop and update the pupil's IEP, to give feedback and updates to parents/guardians, to ensure the School is managed in accordance with education legislation and Departmental Circulars, for verification and dispute resolution purposes, etc.

Board of Management records: These may include:

- Name, address and contact details of each member of the board of management
- 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.

The format in which these records will be kept is manual record (personal file within filing system), computer record (database) or both.

Purpose for keeping board of management records may include: a record of board appointments, documenting decisions made by the board, to facilitate the *good and orderly management of the School*, to comply with legislation and Departmental Circulars, to comply with the Boards of Management of National Schools Constitution of Boards and Rules of procedure, for verification and dispute resolution purposes, etc.

Other Records:

The School may receive or hold other records from time to time which are necessary or incidental to the orderly running of the School.



B. Details of arrangements in place to ensure compliance with the eight rules of data protection

The policy sets down the general arrangements in place within St John of God School 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 Act 2018):

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.

The following sets out the ways in which St John of God Special School will comply with these 8 rules:

1. Obtain and process information fairly

- (a) Within our School, procedures are in place to ensure that staff members, parents/guardians and pupils are made fully aware when they provide personal information of the identity of the persons who are collecting it, the purpose in collecting the data, the persons or categories of persons to whom the data may be disclosed and any other information which is necessary so that processing may be fair. Prompt to Staff members: the sample statement in Appendix 1 could be included on relevant forms where personal information is being requested
- (b) Personal data must be processed fairly in accordance with the Data Protection Acts, with consent being obtained from staff members, parents/guardians or pupils, where required.
- (c) More stringent requirements apply to Sensitive Personal Data, due to its sensitivity. Sensitive personal data must be processed fairly in accordance with the Data Protection Acts, with explicit consent being obtained.

See Appendix 1 for a sample statement which could be included on relevant forms when personal information is being requested.

See Appendix 2 for Data Protection Statement to be signed by parents/guardians upon enrolment.

2. Keep it only for one or more specified, explicit and lawful purposes: prompt questions

- (a) The School will ensure everyone whose data is collected knows the reason(s) why it is collected and kept.
- (b) The School will ensure the purpose for which the data is collected and kept is a lawful one.



3. Use and disclose it only in ways compatible with these purposes: prompt questions

Note: Data can be disclosed where required by law, or where the individual gives their consent.

- (a) The School will ensure personal data is only used in ways consistent with the purpose/s for which it was obtained.
- (b) The School will ensure data is only disclosed in ways consistent with that purpose.
- (c) The School will ensure there is a procedure in place, which is in accordance with the Data Protection Acts to facilitate the transfer of information to another school when a pupil transfers. **Note:** Under Section 20 of the Education (Welfare) Act, 2000, each school principal must maintain a register with the names of all children attending that school. When a child is transferring from the school, the principal must notify the principal of the new school of any problems relating to school attendance that the child concerned had and of any other matters relating to the child's educational progress that he or she considers appropriate. Under Section 28 of the Act, schools may supply personal data, or information extracted from such data, to other schools or another prescribed body if they are satisfied that it will be used in recording the pupil's educational history, monitoring the pupil's educational progress or developing the pupil's full educational potential. The bodies which have been prescribed (and so can share information) under Section 28 are: The Minister for Education and Science (which includes the Inspectorate and the National Educational Psychological Service (NEPS), The National Council for Special Education (NCSE), The National Educational Welfare Board (NEWB), each school recognised in accordance with section 10 of the Education Act, 1998, each place designated by the Minister under section 10 of the Education Act, 1998 to be a centre for education.
- (d) Data will be disclosed to third parties, including the Department of Education and Science, the NEWB, Gardaí, in legal proceedings, HSE personnel etc. in accordance with legal obligations. If in doubt advice may be sought by the Board of Management.

4. Keep it safe and secure:

Appropriate security measures are taken against unauthorised access to, or alteration, disclosure or destruction of, the data and against their accidental loss or destruction.

- a) Access to the information (including authority to add/amend/delete records) is restricted to authorised staff on a "need to know" basis.
- b) School secretary maintains manual and computer data.
- c) Teachers have access to information based on this "need to know" policy.
- d) Special Needs Assistants have access to care plans based on this "need to know" policy.
- e) Nurse has access to medical information and care plans based on this "need to know" policy.
- f) Certain data is stored in the Principal's room with limited access to other staff on a need-to-know basis. Some restricted-access documents are maintained solely in the Principal's office to ensure security.
- g) Office computers are password protected, loaded with anti-virus software and firewall protection.
- h) Information on computer screens and manual files are kept out of view of callers to the school/office.
- i) Back-up procedures in operation for computer held data, including off-site back-up in the cloud (Aladdin). The School operates software (Aladdin) to store and manage



school data. Aladdin utilises cloud storage in EU Data Centres. Aladdin is the data processor for the School appointed pursuant to a processing agreement.

- j) All reasonable measures are taken to ensure that staff are made aware of the security measures, and comply with them. This includes staff being required to participate in regular training and refresher training sessions.
- k) All waste papers, printouts etc. disposed of by confidential shredding.
- l) Steps are taken to ensure that no unauthorised person can access data from computers which are no longer in use or subject to change of use.
- m) The Principal is the designated person responsible for day-to-day security arrangements.
- n) There are periodic reviews of the measures and practices in place.
- o) Premises are secure when unoccupied
- p) In general School data should not be removed from the school (e.g. it should not be taken home or otherwise taken off site). If a member of staff requires to work from home or attend work-related meetings off-site he/she shall contact the Principal to discuss what reasonable measures can be taken to accommodate that member of staff in a data protection compliant manner (e.g. encrypted laptop etc).

5. *Keep it accurate, complete and up-to-date:*

- (a) Clerical and computer procedures ensure high levels of data accuracy.
- (b) Periodic reviews and audit ensure appropriate procedures are in place, so that each data item is kept up-to-date.

6. *Ensure that it is adequate, relevant and not excessive:*

The Board of Management has data procedures in place to ensure that only data which is adequate for the processing required to be undertaken is sought and/or retained. The School must be clear about the length of time for which personal data will be kept and the reasons why the information is being retained. It is expensive (both in terms of management time and in terms of purchasing physical and electronic storage facilities) to store data. Personal data should not be kept for any longer than is necessary to fulfil the function for which it was first recorded. Retention times cannot be rigidly prescribed to cover every possible situation and schools need to exercise their individual judgement in this regard in relation to each category of records held. The School utilises a records retention schedule as a general guide for retention periods. This will be revised from time to time based on feedback, experience, updates in DES Circulars, legislative updates and/or case law. In determining appropriate retention periods, regard must be had for any statutory obligations imposed on a data controller. If the purpose for which the information was obtained has ceased and the personal information is no longer required, the data must be deleted or disposed of in a secure manner. See **Appendix C** which may be updated from time to time based on legislative requirements, legal guidance, advices from school management bodies, experience, feedback etc.

IMPORTANT: Where legal proceedings have been initiated or are threatened, records relevant to the issue should be preserved and transferred to the legal advisor/insurance company to facilitate their dealing with the litigation.

7. *Give a copy of his/her personal data to that individual on request*

Upon making an "access request" under section 4 Data Protection Acts 1988 and 2003, an individual is entitled to the following (subject to certain exemptions and exceptions):

- a copy of the data which is kept about him/her
- know the purpose/s for processing his/her data
- know the identity of those to whom the data are disclosed



- know the source of the data, unless it is contrary to public interest
- know the logic involved in automated decisions
- be informed of any exceptions/exclusions being relied upon and of their right to refer the matter to the Office of the Data Protection Commissioner.

To make an access request, an individual must:

- apply in writing
- give any details which might be needed to help identify him/her and locate all the information you may keep about him/her

Very Important Note: A parent/guardian does **not** need to submit an "access request" to obtain records relating to the progress of their child in his/her education. Under the Education Act 1998 parents/guardians of children under the age of 18 years are statutorily entitled to information relating to their child's educational progress. See section 9(g) Education Act 1998 "A recognised school shall provide education to pupils which is appropriate to their abilities and needs and, without prejudice to the generality of the foregoing, it shall use its available resources to— (g) ensure that parents of a pupils, or in the case of a pupil who has reached the age of 18 years, the pupil, have access in the prescribed manner to records kept by that school relating to the progress of that pupil in his or her education". The School can facilitate a parent/guardian's access to records relating to their child's progress in his/her education under section 9(g) Education Act 1998 without the parent/guardian making an "access request" under the Data Protection Acts. The definition of a "parent" as set out in the Education Act 1998 "includes a foster parent, a guardian appointed under the Guardianship of Children Acts, 1964 to 1997, or other person acting in loco parentis who has a child in his or her care subject to any statutory power or order of a court and, in the case of a child who has been adopted under the Adoption Acts, 1952 to 1998, or, where the child has been adopted outside the State, means the adopter or adopters or the surviving adopter". St John's Special School treats all parents/guardians in a fair and equitable manner irrespective of their marital/family/civil status.

Handling access requests: prompt questions

- The Principal is responsible for handling access requests.
- There are procedures in place to provide applicants with access to personal data about themselves in accordance with the Data Protection Acts as detailed above.
- **Important Note:** A parent/guardian does not need to submit an "access request" to obtain records relating to the progress of their child in his/her education. In the first instance, the School will endeavour to facilitate the parent pursuant to section 9 of the Education Act 1998. See "Very Important Note" above on page 7.
- Where a valid "access request" is received in writing, the School reserves the right to ask the requester to verify their identity (e.g. by showing Identification). This is to ensure we are releasing the data to the correct individual.
- There are clear co-ordinated procedures in place to ensure that all relevant manual files and computers are checked for the data in respect of which the access request is made.
- Information is supplied promptly and in any event within 40 days of receiving the request (or in respect of examinations data, within 60 days of receiving the request or 60 days of first publication of the results, whichever is the later). If no data is held on the person, the individual is informed of this within 40 days.
- The information is provided in a form which is clear to the ordinary person.
- There a procedure in place to rectify or erase any inaccurate information as identified by the individual on whom the data is kept, within 40 days of such a request being made.

Note A: Access requests by pupils: Pupils are entitled to access their personal information in accordance with the Data Protection Acts. Pupils under 18 years of age can



be given access to their personal information, depending on the age of the pupil and the nature of the record (if the record is of a sensitive nature, it would be prudent to seek parental/guardian consent).

Note B: Exceptions to note: There are a number of exceptions/exemptions in relation to a person's right to access their data. These include:

- Data kept for the purpose of preventing, detecting or investigating offences, apprehending or prosecuting offenders, or assessing/collecting any taxes or duties (where allowing the right of access would be likely to prejudice such activities),
- Data constituting an estimate of liability in respect of a claim for a sum of money (where allowing the right of access would be likely to prejudice the interests of the School).
- Data that is legally professionally privileged.
- Data constituting of an expression of opinion given in confidence or on the understanding that it would be treated as confidential.
- Data belonging to a third party.
- The release of health data is restricted (if issuing same would cause serious harm to his or her physical or mental health) requiring prior consultation with an appropriate "health professional" (normally the patient's own doctor). Similarly, data protection regulations restrict the release of social work data.

Links to Other Policies and to Curriculum Delivery

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

The following policies may be among those considered:

- Child Protection Policy
- Anti-Bullying Policy
- Substance Use Policy
- Code of Behaviour.
- IT/Acceptable Usage Policy

Implementation Arrangements, Roles and Responsibilities

The Principal and the Deputy Principal have been assigned the role of co-ordinating implementation of the policy. The Principal and Deputy Principal shall ensure that staff that handle or have access to personal data are familiarised with their data protection responsibilities.

All School employees will be required to engage in continuous data protection awareness training during the course of their employment. Initial training and periodic updates and refresher training will be given to all personnel, employees and volunteers. New employees (which may include trainee teachers and/or supply teachers) and volunteers shall receive induction training on our policy and procedures. Additional training may be given to those with roles which would require them to process sensitive personal data as a core part of their role.

School administrative staff will have a key role in implementing the policy. Compliance with data protection and protecting privacy is everyone's business. All staff within St John's Special School shall be united in their effort to maintain the highest levels of confidentiality and professionalism. All members of staff and the entire School community shall give the utmost



assistance and support to the Principal in achieving this continuing objective. There shall be regular monitoring of these procedures by School management to ensure good awareness and compliance among all staff. Failure to adhere to these standards shall be considered a matter of grave seriousness, and may result in the Disciplinary Procedures being invoked.

This policy is to be implemented in September 2016 following circulation to school community and ratification by the Board of Management.

Ratification & Communication

Implementation Date

25 May 2018

Monitoring the implementation of the policy

The Board of Management will monitor the implementation of the policy. Practical indicators shall be used to gauge the impact and effectiveness of the Policy, including the extent to which:

- Pupils, staff and parents/guardians are aware of the Policy
- Requests for access to personal data are dealt with effectively
- Personal data records are accurate (good standards of data quality)
- Personal data records are held securely
- Personal data records are retained only for as long as necessary.

Reviewing and evaluating the policy

The policy should be reviewed and evaluated annually and, as necessary. Ongoing review and evaluation will take cognisance of changing information or guidelines (e.g. from the Data Protection Commissioner, Department of Education and Science or the NEWB), legislation and feedback from parents/guardians, pupils, school staff and others. The policy will be revised as necessary in the light of such review and evaluation and within the framework of school planning.

Signed: Br. Gregory Mc Crory
Br. Gregory Mc Crory, O.H.
Chairperson, Board of Management

Date: 7-3-2019



Appendix 1

Sample Data Protection Statement for inclusion on relevant forms when personal information is being requested

The information collected on this form will be held by St. John of God School in manual and in electronic format. The information will be processed in accordance with the Data Protection Act 2018.

The purpose of holding this information is for administration, and to facilitate the school in meeting the pupil's educational and/or medical needs etc.

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

Parents/Guardians of pupils and pupils aged 18 or over have a right to access the personal data held on them by the school and to correct it if necessary.

I consent to the use of the information supplied as described.

Signed Parent/Guardian: _____ **Date:** _____

Signed Parent/Guardian: _____ **Date:** _____

Signed Pupil: _____ **Date:** _____



Appendix 2

Data Protection Statement signed by parents/guardians upon enrolment from September 2018 onwards.

St John of God School Data Protection Policy sets down the arrangements in place 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.

The information collected on the forms in the enrolment pack of St John of God School will be held in manual and in electronic format. The information will be processed in accordance with the Data Protection Act 2018.

The purpose of holding this information is for administration, to facilitate the school in meeting the pupil's educational needs etc.

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

Parents/Guardians of pupils and pupils have a right to access the personal data held on them by the school and to correct it if necessary.

I consent to the use of the information supplied as described.

Signed Parent/Guardian: _____ **Date:** _____

Signed Parent/Guardian: _____ **Date:** _____

Signed Pupil: _____ **Date:** _____



St. John of God School Staff Consent to process Data

The General Data Protection Regulation (GDPR) comes into effect on 25 May 2018. The GDPR is legislation which the European Union has enacted, and it increases the obligations on all organisations as to the standards they must meet when handling and storing personal data.

By being employed in St. John of God School you acknowledge that your personal data e.g. name, gender, date of birth, address, etc. (including special category personal data e.g. correspondence, emails, medical information, courses attended/online, bank details, Teaching Council No., next of kin, Garda Vetting disclosures, etc.) will be processed by St. John of God's School. The purpose of this consent request is to better inform you of

- Who we are
- What personal data we collect about you
- How and why we use your personal data
- Who we share your personal data with
- The reasons why we share your personal data
- How long we keep your personal data
- Your rights as a Data Subject – the person about whom we collect and store personal data

If you need more information, please see our Data Protection Policy available at stjohnofgodschool.com

Who we are:

We are St. John of God School and our school Board of Management is the data controller.

- Our address and contact details are Islandbridge, Dublin 8, D08P89W; 01-6741534/ info@stjohnofgodschool.com
- We provide education for pupils with a moderate general learning disability, severe and profound general learning disability and some pupils who have ASD and moderate general learning disability.
- For further information of our Data Protection Policy see stjohnofgodschool.com

The information we collect about DATA SUBJECTS

The personal data we collect can include information about your identity and contact details; images/photo (including CCTV); family details; appointment details; references, contracts, CVs; PPS no; medical data; information about attendance; Garda vetting disclosures; information about health, HR, safety and welfare; financial information (bank details); and other personal data.

Further details of the data we collect about data subjects can be found in our Data Protection Policy.

How and why we use DATA SUBJECTS' information and the legal basis

We use data subjects' personal data for purposes including but not limited to:

- *to process grant applications and other funding*
- *to coordinate, evaluate, fund and organise educational programmes*
- *to access supports/interventions on behalf of our students*
- *to comply with our legal obligations as an education body*
- *to comply with our monitoring and reporting obligations to Government bodies*
- *to process appeals, resolve disputes, and defend litigation etc.*



For further information on what data we collect, why we collect it, how we use it and the legal basis for same, please go to our Data Protection Policy available at www.saintJohnofGodschool.com.

Who we share your information with

We may share your personal data with third parties, including other Government bodies. This includes the Department of Education and Skills, Department of Social Protection, Medmark, NCSE, SESS, TUSLA, An Garda Síochána, the HSE, the Department of Social Protection, the Revenue Commissioners, Insurance company, Dublin Bus, etc.

The level of sharing and the nature of what is shared depend on various factors. The Government bodies to which we transfer your personal data will use your personal data for their own purposes (including: to verify other information they already hold about you, etc.) and they may aggregate it with other information they already hold about you and your family. We also share your personal data with other third parties including our insurance company and other service providers (IT providers, security providers, legal advisors etc.). For further information on who we share your data with, when and in what circumstances, and why, please see our Data Protection Policy available at stjohnofgodschool.com

We do not engage in automated decision making/profiling

How long we hold PERSONAL data

- Some personal data is only kept for a short period e.g. data no longer needed will be safely destroyed at the end of an academic year
- Some data we retain for a longer period e.g. where legislation requires that we store data for a fixed number of years.
- Some data is never destroyed e.g. Leabhar Tinrimh Laethúil (which contains PPSN, DOB, appointment date, qualification, Teaching Council number, etc).

For further information on the retention periods, please go to our Data Protection Policy available at stjohnofgodschool.com

You have the following statutory rights that can be exercised at any time

- Right to complain to supervisory authority
- Right of access
- Right to rectification
- Right to be forgotten
- Right to restrict processing
- Right to data portability
- Right to object and automated decision making/profiling

For further information, please see our Data Protection Policy available at stjohnofgodschool.com

Contact

If you would like to discuss anything in this privacy notice, please contact Marie Ryan, Principal at marie.ryan@stjohnofgodschool.com or on 01 6741534.

For our records, please sign and return this consent for our school to continue to process your personal data following the introduction of recent Data Protection legislation



I _____ give permission to St. John of God School to

process, store, share _____ Staff Name (please print) personal data
detailed in this notice and to contact me.

Signed: _____

Date: _____

Right to change or remove your details - if you discover that a data controller has details about you that are not factually correct, you can ask them to change or, in some cases, remove these details. Similarly, if you feel that St. John of God School does not have a valid reason for holding your personal details or that they have taken these details in an unfair way, you can ask them to change or remove these details.



Appendix 2

St. John of God School Parents/Guardians Consent to Process data

The General Data Protection Regulation (GDPR) comes into effect on 25 May 2018. The GDPR is legislation which the European Union has enacted and it increases the obligations on all organisations as to the standards they must meet when handling and storing personal data.

By enrolling in and attending St. John of God School you acknowledge that your personal data e.g. name, gender, date of birth, address, citizenship, etc. (including special category personal data e.g. correspondence, emails, medical information, etc.) will be processed by St. John of God School. The purpose of this consent request is to better inform you of

- Who we are
- What personal data we collect about you and your child who is enrolled and attends our school
- How and why we use your personal data
- Who we share your personal data with
- The reasons why we share your personal data
- How long we keep your personal data
- Your rights as a Data Subject – the person about whom we collect and store personal data

If you need more information, please see our Data Protection Policy available at stjohnofgodschool.com.

Who we are:

We are St. John of God School and our school Board of Management is the data controller.

- Our address and contact details are Islandbridge, Dublin 8, D08P89W; 01-6741534.
- We provide education for pupils with moderate or severe and profound general learning disabilities and some pupils with ASD and moderate general learning disabilities.
- For further information of our Data Protection Policy see stjohnofgodschool.com.

The information we collect about DATA SUBJECTS

The personal data we collect can include information about your identity and contact details; images/photo (including CCTV); family details; admission/enrolment details; previous schools; academic progress; PPS no; National Intellectual Disability Database pin no, roll no, special educational needs; nationality; language; religion; medical data; information about behaviour and attendance; information about health, safety and welfare; financial information (re payments for books, tours etc); and other personal data.

Further details of the data we collect about data subjects can be found in our Data Protection Policy.

How and why we use DATA SUBJECTS' information and the legal basis

We use data subjects' personal data for purposes including but not limited to:

- *your application for the enrolment of your child*
 - *to provide your child with appropriate education and support*
 - *to monitor your child's academic progress*
 - *to care for your child's health and well-being*
 - *to care for our staff and pupils*
 - *to process grant applications and other funding*
 - *to assist with applications for future placements post St. John of God's*
- Data Protection Policy*



- *to coordinate, evaluate, fund and organise educational programmes*
- *to comply with our legal obligations as an education body*
- *to comply with our monitoring and reporting obligations to Government bodies*
- *to process appeals, resolve disputes, and defend litigation etc.*

For further information on what data we collect, why we collect it, how we use it and the legal basis for same, please go to our Data Protection Policy available at stjohnofgodschool.com.

Who we share your information with

We may share your personal data with third parties, including other Government bodies. This includes the Department of Education and Skills, NCSE, SESS, TUSLA, An Garda Síochána, the HSE, the Department of Social Protection, the Revenue Commissioners, Dublin Bus, etc. The level of sharing and the nature of what is shared depend on various factors. The Government bodies to which we transfer your personal data will use your personal data for their own purposes (including: to verify other information they already hold about you, etc.) and they may aggregate it with other information they already hold about you and your family. We also share your personal data with other third parties including our insurance company and other service providers (IT providers, security providers, legal advisors etc.). We are legally required to provide certain records relating to the progress of a pupil (under 18 years) in his/her education to the pupil's parents/guardians, including results of assessments.

For further information on who we share your data with, when and in what circumstances, and why, please see our Data Protection Policy available at stjohnofgodschool.com.

We do not engage in automated decision making/profiling

How long we hold PERSONAL data

- Some personal data is only kept for a short period e.g. data no longer needed will be safely destroyed at the end of an academic year
- Some data we retain for a longer period e.g. enrolment forms are retained in the school until your child reaches 25 years of age
- Some data is never destroyed e.g. Roll Books and School Registers

For further information on the retention periods, please go to our Data Protection Policy available at stjohnofgodschool.com

You have the following statutory rights that can be exercised at any time

- Right to complain to supervisory authority
- Right of access
- Right to rectification
- Right to be forgotten
- Right to restrict processing
- Right to data portability
- Right to object and automated decision making/profiling

For further information, please see our Data Protection Policy available at stjohnofgodschool.com

Contact

If you would like to discuss anything in this privacy notice, please contact Marie Ryan, Principal at marie.ryan@stjohnofgodschool.com or 01-6741534.



For our records, please sign and return this consent for our school to continue to process your personal data following the introduction of recent Data Protection legislation.

I/We, the parent(s)/guardian(s) of _____ (pupil name)

Date of Birth: _____ give permission to St. John of God's School to contact me, process, store and share personal data detailed in this notice.

Signed: _____

Date: _____

Signed: _____

Date: _____

Right to change or remove your details - if you discover that a data controller has details about you that are not factually correct, you can ask them to change or, in some cases, remove these details. Similarly, if you feel that St. John of God School does not have a valid reason for holding your personal details or that they have taken these details in an unfair way, you can ask us to change or remove these details.



Appendix C

Records Retention Schedule

St John of God School has set out some guidelines on the length of time for which personal data will be kept and the reasons why the information is being retained. If the purpose for which the information was obtained has ceased and the personal information is no longer required, the data must be deleted or disposed of in a secure manner. *St John of God School* has assigned specific responsibility to the Principal and introduced procedures for ensuring that files are purged regularly and securely. Personal data shall not be retained any longer than is necessary. These are default guidelines only, and there may be certain circumstances which require alternative retention periods. All records will be periodically reviewed in light of updates to legislation, Departmental Circulars, experience and any legal or other relevant indications. **Destruction method: For all School records, the accepted method of destruction is**

CONFIDENTIAL SHREDDING



Pupil Records	Default Retention Period	Comments/Rationale for retention period
<p>Core Pupil Records</p> <ul style="list-style-type: none"> • Enrolment Forms • Enrolment/transfer forms where child is not enrolled or refused enrolment • Pupil Transfer Forms • Psychological Assessment • Special Education Needs' files, reviews, correspondence and Individual Education Plans • Section 29 appeals • Government returns (October Returns, P-POD etc) • Disciplinary Notes (including notes related to Anti-Bullying Procedures) • Accident/Injury/Incident reports • Pupil medical records 	<p>Did an accident, issue, or incident arise while the pupil was in the school? Or has a complaint been made threatening litigation? Or is litigation contemplated? Is it likely the School will be required to produce these records in the context of litigation/dispute resolution?</p>	<p>Once a pupil leaves the School (or reaches the age of 18 years, whichever is the longer period) the only core relevant records should be removed from the active filing system, and safely retained by the School in secure longer-term archival storage. All other records which are no longer required for the purpose for which they were collected should be securely destroyed.</p> <p>Core records should be retained in archives for 2 reasons:</p> <p>(a) The School often receives requests for records from pupils many years after the pupil has left the School. This documentation is sometimes required for the pupil applying for follow-on services after school completion. Sometimes the documentation is required to assist the pupil in applying for further education, work-placements, or jobs. In order to facilitate same, the School retains these records.</p> <p>(b) Documentation could be required by the School to resolve disputes or defend litigation.</p>
	<p>If "YES"</p> <p>If at any stage litigation is threatened or has commenced, the School's insurance company should be notified. The relevant records should be transferred to the school's solicitor in order to defend proceedings. Where litigation threatened/initiated, retain documents until pupil reaches 25 years old (ie 18 years being the date upon which the child reaches his/her majority, plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school). Upon the pupil's turning 25</p>	
	<p>If "NO"</p> <p>Once pupil leaves the School (or reaches the age of 18 years, whichever is the longer period) the record should be removed from the active filing system, and only core relevant records retained by the School in secure longer-term archival storage.</p> <p>In general, those archived records should be destroyed when the pupil reaches 25 years old. This period is calculated as 18 years + 7 years (6 years in which to take</p>	



	years old, the Board of Management shall conduct a risk-based assessment review to determine whether the records need to be retained. If at that stage litigation is still threatened, seek legal advice.	a claim against the school, plus 1 year for proceedings to be served on the school). If in any doubt, the Board of Management will obtain advice.	
Test Results / Reports (In-school tests/exams (i.e. end of term, end of year exams, assessment results, end of term/year reports).	Destroy 2 years after the pupil turns 18 years, or 2 years after the pupil leaves the School, whichever is the longer period.		The School often receives requests for records from pupils many years after the pupil has left the School. This documentation is sometimes required for the pupil applying for follow-on services after school completion. Sometimes the documentation is required to assist the pupil in applying for further education or work-placements. Not required once pupil leaves School.
Records of school tours/trips, including permission slips, itinerary reports, Scholarship/Grant applications	Destroy when pupil leaves education system (ie 18 years old).		
Records of complaints made by parents/guardians	Depends entirely on the nature of the complaint: If it is child-safeguarding, a complaint relating to teacher-handling, or an accident, then see Child Protection Records or Accident/Injury/Incident reports above. If it is a complaint of a more mundane or minor nature, retain in line with guidance at "Core Pupil Records" above.		Documentation could be required by the School to resolve disputes or defend litigation.
Registers/Roll books	N/A		Retained for Archival purposes only. Archive when class leaves + 2 years. Not in active use - retained in storage. Note: In the event that Department of Education and Skills issue a DES Circular advising schools Registers/Roll Books can be destroyed, then they will be securely destroyed by confidential shredding.



State exam results	N/A	SEC responsibility to retain, not a requirement for school to retain.
Other Management records	Default/guideline retention period	Comments
Board agenda and minutes	Retained in active file system for 2 years after the end of the academic year to which the agenda/minutes relate. Then transferred to long-term storage for Archival purposes. Not in active use – retained in secure storage. Note: In the event that Department of Education and Skills issue a DES Circular (or some similar guidance) advising schools board agendas and minutes can be destroyed, then they will be securely destroyed by confidential shredding.	These should be stored securely on school property. Retained for Archival purposes. Note: In the event that Department of Education and Skills issue a DES Circular advising schools that such agendas/board minutes can be destroyed, then they will be securely destroyed by confidential shredding.
Child protection records	Indefinitely.	Never destroy. Retain with highest level of security. Statute of Limitations (Amendment) Act 2000 applies where child suffered child sexual abuse. Documentation may be required to resolve disputes, defend litigation, or assist in Commissions to Inquire in years to come.
Audited Accounts	Store for period advised by DES.	Note: In the event that Department of Education and Skills issue a DES Circular advising schools that such Audited Accounts can be destroyed, then they will be securely destroyed by confidential shredding.
Payroll and taxation, invoices/back-up records/receipts	Revenue Commissioners require that records be kept for at least six years after the end of the tax year. Records must be made available for inspection by authorised officers of the Revenue Commissioners or of the Dept. of Social Protection. Note: The DES requires of schools that "pay, taxation and related school personnel service records should be retained indefinitely within the school."	Note: In the event that Department of Education and Skills issue a DES Circular advising schools that such Payroll and taxation documents can be destroyed, then they will be securely destroyed by confidential shredding.



Staff Records	Default/guidelines retention period	Comments
<p>Recruitment process:</p> <ul style="list-style-type: none"> • Unsolicited applications for jobs • Applications & CVs of candidates called for interview • Database of applications • Selection criteria • Applications of candidates not shortlisted • Candidates shortlisted but unsuccessful at interview • Candidates shortlisted and are successful but do not accept offer • Interview board marking scheme & board notes • Panel recommendation by interview board • Correspondence from unsuccessful candidates/correspondence re feedback <p>Applications, qualifications, references, recruitment, job specification, contract, Teaching Council registration, records of staff training etc.</p>	<p>18 months from close of competition</p>	<p>18 months from close of competition: 12 months from close of competition plus 6 months for the Equality Tribunal to inform the school that a claim is being taken.</p> <p>Note: these suggested retention periods apply to unsuccessful candidates only. They do NOT apply to successful candidates, or candidates who are/were also employees already within your school applying for another post/position. For successful candidates, or candidates who are/were also employees already within your school applying for another post/position, see retention periods set out below.</p>
<p>Garda vetting application form</p>	<p>Retain an anonymised sample for archival purposes. Non-anonymised documents: Retain for duration of employment plus 7 years N/A</p>	<p>Note: 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)</p> <p>No copy retained. Original completed application forms sent to the Garda Central Vetting Unit ("GCVU"). No copies held at School level. Garda vetting outcomes – see below.</p>
<p>Garda vetting outcome/disclosure notices received by School from GCVU</p>	<p>In general, deleted 1 year after receipt (except in exceptional circumstances). Note: although the GCVU vetting disclosure shall be deleted, the Reference number and date of disclosure may be retained on the file to be verified with GCVU at a later date if required.</p>	<p>Note: Reference number and date of disclosure may be retained beyond this 1 year period, and kept on the file to be verified with GCVU at a later date if required.</p>



<p>Working Time Act (attendance hours, holidays, breaks)</p>	<p>Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school). Note: There is a statutory requirement to retain for 3 years</p>	<p>Working Time Act: must retain for 3 years</p>
<p>Allegations/complaints re Workplace Procedures Grievance and Disciplinary records</p>	<p>Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served).</p>	<p>Please note the relevant DES Circular re Disciplinary Procedures in relation to the period of time for which a warning remains "active" on an employee's record.</p>
<p>Accident/injury at work reports</p>	<p>Retain for 10 years.</p>	<p>Safety, Health and Welfare at Work (General Applications) Regulations 1993 require records of accidents in the workplace be retained for 10 years from the date of the accident.</p>
<p>Occupational Health Records (Sickness absence records/certificates, Sick-leave records (sick benefit forms), Pre-employment medical assessment, Occupational health referral, Correspondence re retirement on ill-health grounds</p>	<p>Retain for 7 years following staff member's leaving employment (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school), unless sickness absence or Medmark Referral relates to an accident/ injury/ incident sustained in relation to or in connection with the individual's duties within the school, in which case, see "Accident/Injury at Work" reports</p>	<p>Re sick leave scheme (1 in 4 rule) ref DES C/L 0060/2010</p>



<p>Employee records</p> <ul style="list-style-type: none"> • Application &/CV • Qualifications • References • Interview: database of applications (the section which relates to the employee only) • Selection criteria • Interview board marking scheme & board notes • Panel recommendation by interview board • Recruitment medical • Job specification/description • Contract/Conditions of employment • Probation letters/forms • POR applications and correspondence (whether successful or not) • Leave of absence applications • Job share • Career Break • Maternity leave/paternity leave/parental leave • Posts of Responsibility • Calculation of service • Promotions/POR Board master files • Promotions/POR Boards assessment report files • POR appeal documents • Records of previous service (Incl. correspondence with previous employers) • Pension Calculation • Pension increases • Salary claim forms 	<p>Retain for duration of employment plus 7 years</p>	<p>Note: 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school).</p> <p>NB: service records may be retained longer (ie until retirement age) for superannuation/pension purposes.</p>
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<ul style="list-style-type: none"> • Parental leave • Force Majeure Leave • Carer's leave 	Retain for 8 years	Must be kept for 8 years - Parental Leave Acts 1998&2006, and section 27 Carer's Leave Act 2001.
Government returns (any returns which identify staff/volunteers)	Depends upon the nature of the return. If it relates to pay/pension/benefits of staff, keep as per guidelines above.	

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