

Data Protection Policy Presentation Secondary School, Mitchelstown, Co. Cork.

The **rationale** for developing this policy is to clarify for the students, their parents and guardians and all data subjects as to how their data will be protected in compliance with the General Data Protection Regulation 2018.

The school **aims** to respect the privacy and data protection rights of students, staff, parents/guardians and any other relevant parties who the school holds information on.

Roles and responsibilities

For the purpose of this policy:

The Data Controller is the Board of Management. The Data Controller has the primary responsibility for compliance with the General Data Protection Regulation 2018. The Data Controller is responsible for the gathering, storage, retention and disclosure of data it holds.

Personal Data means data relating to an individual who can be identified from the data held by the Data Controller. It can include information such as school administration records, video and CCTV footage, family information, third-party references, examination results

Sensitive Personal Data refers to data on any of the following:

- Political opinions, religious beliefs, racial or ethnic origin
- Membership of a Trade union
- Physical or mental health condition or condition of sexual life.
- Commission/alleged commission of an offence or any proceedings with regard to same.
- Psychometric and aptitude test results.
- Special needs requirements.

The Data Subject is the person who is the subject of the data retained by the school. This could be a staff member, a student, a parent/guardian, or other relevant party.

The Data Processor is any third party organisation contracted by the school in order to perform a specific task in which personal data is processed. A Data Processor Agreement must be in place between the school as Data Controller and the third party. This must include the duration of the contract, the subject matter, the categories of personal data being processed and the security measures in place to protect the confidentiality and integrity of the data.

The Age of Consent This is with regard to setting up 'information society services' eg. email, social media and mobile accounts. Where a person is aged 13 or younger, prior parental or guardian approval must be acquired.

The Age of Majority There is no minimum or maximum age at which the Data Protection legislation applies and the protection of the legislation will apply to all living people about whom the school holds

Purpose for which the school requires the data it collects.

Implementation of the policy takes into account the schools legal and administrative obligations such as:

- Maintaining a register of all students attending the school and recording attendance/non -attendance at school each day.
- The school may supply required personal data kept to certain prescribed bodies (DES, other school in a situation of student transfer, HSE, TULSA, An Garda Siochana where relevant).
- The school will hold examination results in respect of its students, including the results of state examinations.
- Staff records are kept to facilitate the management and administration of school business, to include human resources management, calculation of payments and benefits and to enable the school to comply with its obligations as an employer, including the preservation of a safe, efficient working and teaching environment.
- Board of Management records are kept to enable its operation under the Education Act 1998 and other applicable legislation and to maintain a record of board appointments and decisions.
- The school may hold other records such as charity tax-back forms, creditors information, and other miscellaneous information which is necessary to hold from time to time for the effective running of the school.
- CCTV images and recordings are held for the safety and security of staff, students and visitors and to safeguard school property and equipment.
- The school must be able to contact parents and guardians at all times and therefore need up to date information on their contact details.
- For the safety of students, the school needs to be advised of any medical conditions that a student may have.

In acquiring data the Data Controller will operate within the seven core principles identified by GDPR 2018 for processing personal data as follows:

1. **Lawful, fair and transparent** – data will be processed in a lawful, fair and transparent manner. When collecting personal data, advice will be given to the data subject on what processing will be done, in a clear and straightforward language.
2. **Purpose limitation** – Personal data will only be obtained and used for specific, explicit and legitimate purposes.
3. **Data Minimisation** – The school will only conduct the minimum range of processing necessary to achieve the specified, lawful purposes for which the data was acquired. Subsequent retention and use of the data will be also kept to a minimum.
4. **Accuracy** – The school will ensure that any data held is both accurate and up to date. Important parental data and information such as contact details and consent

will be renewed and reviewed annually to ensure that no substantial change in circumstances has occurred in the intervening year.

5. **Storage limitation** – Data will be stored in compliance with current Irish legislation (and no longer than seven years after the student has graduated from the school). As much student data as possible will be anonymised and any unnecessary or duplicate copies of information will be destroyed.
6. **Data will be kept safe and secure at all times during processing** – the following interventions are in place:
 - Technological – password protection on files, limited access to the network, discretion when sending emails, and locking PC screens when not in use.
 - Organisational – level of access to records is limited based on staff members' roles and responsibilities.
 - Physical – office doors are locked when rooms are not in use, A clean desk policy is in operation and students are provided with lockers for the safe storage of their books and documents,
 - Where Vsware or other data is accessed remotely by teachers in the course of their work, they give an undertaking that it will only be accessed in a secure, private place.
7. **Accountability** – The school is responsible for compliance with GDPR 2018 and interventions are in place as follows:
 - Data process logging which identifies the range, scope and purpose of the processing and whether it is being done by the school or a third party.
 - Privacy impact assessments – which is an evaluation of the anticipated risk.
 - Breach notification reporting – any perceived breach in the management of personal data will merit a formal notification to the Office of the Irish DP Commissioner.
 - Data Protection Officer (DPO) is appointed who will receive formal training in GDPR .

Circumstance where the school may engage a third party service provider in order to process data on it's behalf:

- The school uses the services of VSWARE for compiling and monitoring attendance, communicating with staff, compiling term reports.
- The school uses various software to provide school emails to students and to facilitate teaching and learning through collaborative activities.
- The school will use outside providers for specialist areas, such as Transition Year activities and may need to provide information for the purposes of student safety.

The Data Subjects Rights

Right of Access to one's personal data

- Requests for data must be made by the Data Subject on written request, providing sufficient identification to satisfy the Data Controller as to their identity.
- In the case of a minor, defined as any person under the age of 18, the parent or guardian can submit a written request on their behalf.
- There must be a clear explanation for the basis of the request and this will be considered by school management before a decision is made.
- The school will respond within 30 days.
- 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.

Summary implementation arrangements, roles and responsibilities

In Presentation Secondary School, the board of management is the data controller and the principal will be assigned to role of co-ordinating implementation of this Data Protection Policy and for ensuring that staff who handle or have access to Personal Data are familiar with their data protection responsibilities.

The following have responsibility for implementing the Data Protection Policy:

Name	Responsibility
Board of Management	Data Controller
Principal	Implementation of the policy
Teaching personnel	Awareness of responsibilities
Administrative personnel	Security, confidentiality, encryption

The policy will be reviewed annually

Signed _____ Chairperson of the Board of Management

Date _____