



## Scoil Maelruain Junior

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## Draft Scoil Maelruain JNS GDPR, Data Protection and Record-Keeping Policy

Date	October 2022
Initial Draft	May 2022
Consultation with Parents/Staff	February/March 2023
Ratified by the Board of Management	

**This is a working continuous document**

### Introduction:

This policy was formulated by the staff and Board of Management of Scoil Maelruain JNS. 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 stakeholders.

### 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;
  - o Education Act, Section 9g requiring a school to provide access to records to students over 18/parents
  - o Education Welfare Act – requiring a school to report school attendance and transfer of pupils.

### Relationship to School Ethos:

Scoil Maelruain JNS 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. Data relating to a particular pupil will only be shared with the parent/guardian of that particular pupil and no other third party without explicit permission from that parent.

### 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 Board of Management 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.

### **Data Gathering and Creation:**

Data is gathered at the time of enrolment, and during the course of a pupil's time in school. Data can also be created by school staff (Principal, Teachers and Special Needs Assistants - SNA's). Documentation gathered or created by the organisation are:

- **personal data** such as name, address, date of birth, gender, ethnic origin, nationality, religious belief, medical details, dietary information, PPSN, contact details and parents name
- **Diagnostic reports** such as reports from medical practitioners, occupational therapists, psychotherapists, physiotherapists, speech and language therapists, educational psychologists, National Educational Psychologists Services (NEPS), Special Educational Needs Officers (SENO) and other such professionals.
- **Support Plans** such as Classroom Support Plans, School Support Plans, School Support Plus Plans, Personal Pupil Plans and observations of pupils created by school staff (Teachers and SNA's).
- **Child Protection Data** relating to disclosures made by children are gathered by a mandated person and reported to the Designated Liaison Person or Deputy Designated Liaison Person in accordance with the Children's First Act.

#### **1. Personal Data:**

This data relates to personal details of the students such as name, address, date of birth, gender, ethnic origin, nationality, religious belief, medical details, dietary information, PPSN, contact details and parents names.

#### **2. Student Records:**

Student records may contain:

- Personal details of the student
- Medical sensitive data
- School report cards
- Psychological/Clinical/Occupational Therapy/Speech and Language Assessments
- Standardised Test Results
- Attendance Records
- Screening Test such as Drumcondra, MIST and NRIT
- Support Plans and Observations of Pupils
- Data Protection
- Teacher – designed tests. Each class teacher designs his/her own test template
- Diagnostic Tests Reports
- Individual Education Plans/Support Plans
- Learning Support/Resource Data such as records of permission/refusal to access LS/RT services in the school,
- Portfolios of student work e.g. Art
- Details of behavioural incidents or accidents.

These are stored on Aladdin/ Google Drive, hard copies securely stored in Classrooms

#### **3. Staff Data**

This data relates to personal and professional details of the Staff such as name, address, date of birth, contact details, payroll number, attendance records, qualifications, school records, sick leave, CPD, curriculum vitae, school returns, classes taught, seniority and supervision payments.

#### **4. Volunteer Data**

Volunteers who volunteer in the school such as Parent Association members, SNA work placement, or Transition Year work experience students will be asked by the organisation to disclose some or all of the following data, personal or professional information such as name, address, date of birth, contact details, qualifications and Garda Vetting. **Securely Stored in the Secretary's office.**

#### **5. Administrative Data:**

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

#### **Access to Records:**

The following will have access where relevant and appropriate to the data listed above; Student records are accessible to class teachers on Google Drive, Aladdin and through hard copies held in classrooms. Detailed student records are stored **securely** in the principal's office.

- Parents/guardians
- Past pupils over 18
- Health Service Executive
- Designated school personnel
- Department of Education & Skills
- Scoil Maelruain Senior

A parental authorisation form must be completed by parents in the event of data being transferred to outside agencies such as health professionals etc. Outside agencies requesting access to records must do so in writing giving seven days notice. Parents/Guardians can make such a request either by phone, email or in writing. The right to erasure or rectification is available to change any mistakes or inaccuracies by proper authorisation through the same procedures.

The Annual School Report format and its communication to parents are outlined clearly in our schools Report Writing Guidelines Policy. A standardised school report form is used which is issued through Aladdin in June.

#### **Child Protection Records:**

**Child Protection records are kept in hardcopy form. They are stored securely in the Principal's office and some are password protected on the Principal's personal Google Drive. They are confidential and will only be shared with Túsla, Gardaí and relevant authorities subject to legal requests. Documents are not shared with the Senior School, secondary schools or further education bodies.**

Parents seeking access to child protection records must do so in writing to the Board of Management. The Board of Management will consider each request individually and will reply to the request within a calendar month.

#### **Storage:**

All relevant records are stored in the school for a minimum of 7 years until the past pupil reaches the age of 25 (see Appendix 1 for further details). These records are stored (see table 1)

A pupil profile and selection of records are held by each teacher in his/her individual classroom and passed onto the next teacher as the child moves to the next class. If/When children in 2nd class transition to Scoil Maelruain Senior these records are shared with that school.

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

Computerised records, systems are password protected. Records are backed up to Google Drive and Aladdin. All documents that could identify a data subject but have completed their retention time in the school, will be shredded by a school shredding machine or by a secure data shredding company at the academic year end.

#### **Data Subject Request:**

This must be processed in one calendar month.

#### **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 and Board of Management 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.

**Table 1**

<b>Data</b>	<b>Storage</b>	<b>Access</b>
Enrolment Data	Securely stored in Principal's office	Staff
Student Records/ Report	Aladdin/ Google Drive Hard Copies securely stored in Classrooms	Class teacher, support teacher SNA, Principal
Class Profile	Google Drive Hard Copies securely stored in Classrooms	Class teacher, support teacher, Special Educational Needs Co-ordinator (SEN Co who is the Deputy Principal), Principal
Yard Incident Record	Securely stored in Classrooms/ Aladdin	Class teacher, Deputy Principal, Principal
Professional Reports	Securely stored Principal's Office	Class teacher, support teacher SNA, SEN Co/Deputy Principal, Principal
Standardised Test Booklets	Assessment press- securely stored	Support teacher, SEN Co/Deputy Principal Principal
Standardised Test Results	Aladdin	Class Teacher, Support Teacher, SEN Co/Deputy Principal, Assistant

		Principal I, Principal
Teacher Tests/Assessment Folder	Securely stored in Classroom/Google Drive	Class Teacher, Support Teacher, SEN Co/Deputy Principal, Principal
Staff Data	Securely stored Principal's Office	Deputy Principal, Principal
Administrative Data	Principal's Office and Google Drive	Deputy Principal, Principal
Child Protection Documents	Securely stored in Principals office and password protected on Principals personal Google Drive	Designated Liaison Officer (Principal), Deputy Designation Liaison Officer (Deputy Principal - only when Principal is not on site and access is limited to documents pertaining to the disclosure/Child Protection Reports that they are dealing with)
Volunteer Data	Securely stored in Secretary's office	Secretary, class teachers, support teachers, Principal and Deputy Principal

# Appendix 1: Data Retention Periods for schools - Scoil Maelruain Junior

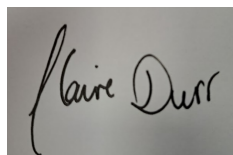
## DATA RETENTION PERIODS FOR SCHOOLS

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

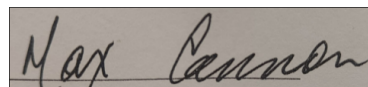
**Ratification by Board of Management and Communication to School Community:**

This policy is a draft policy and is in the process of being consulted on by staff and parents. After consultation the policy will be presented to the Board of Management for ratification. While in Draft it will be published in its this form until it has been ratified.

**This policy was ratified on: Yet to be ratified/This is a Draft Working Document**

A rectangular box containing a handwritten signature in black ink that reads "Claire Durr".

Claire Durr  
Principal

A rectangular box containing a handwritten signature in black ink that reads "Max Cannon".

Max Cannon  
Chairperson

The policy will be available on the school website and through the office.