

Cabinteely Community School



GDPR Policy and Retention Schedule

Ratified November 2020

School Mission Statement

Cabinteely Community School is a kind, caring and vibrant learning community which supports the wellbeing and the academic, spiritual and creative growth of every student.

We welcome students of all ethnicities, abilities, genders and faith traditions, as equal members of our community

We identify with our Ursuline founders and their love of education.

Our Core Values

Our core values guide our policies, our procedures and how we work with our staff and students. These core values are;

Care - We all need to belong and be cared for in a safe environment in order to learn

Courage - We show courage by making the right choices and committing to learning

Support - We will be the best we can be by working hard and working together

Introduction

The school's data protection policy applies to the personal data held by the school which is protected by the Data Protection Acts 1988 and 2003.

The policy applies to all School Staff, the Board of Management, parents and guardians, students and others (including prospective or potential students and their parents/guardians and applicants for staff positions within the school) in so far as the measures under the policy relates to them that would be stored security 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 school. Any breach of the policy must be reported to school management.

Data protection principles

The school is a *data controller of personal data* related relating to its past, present and future staff, students, parents/guardians and other members of the school community. As such, the school is obliged to comply with the principles of data protection set out in the Data Protection Acts 1988 and 2003 which can be summarised as follows:

Obtain and process personal data fairly: information on students is gathered with the help of parents/guardians and staff. Information is also transferred from their previous schools. In relation to information the school holds and other individuals (members of staff, individuals applying for positions within the school, parents/guardians of students etc.) the information is generally furnished by the individuals themselves with full and informed consent and compiled during the course of their employment or contact with the school. All such data is treated in accordance with the Data Protection Acts and the terms of this Data Protection Policy. The information will be obtained and processed fairly.

Keep it only for one or more specified and explicit lawful purposes: the school will inform individuals of the reasons they collect the data and will inform individuals of the uses to which their data will be put. All information is kept with the best interest of the individual in mind at all times.

Processes only in ways compatible with the purposes for which it was given initially: Data relating to individuals will only be processed in a manner consistent with the purposes for which it was gathered. Information will only be disclosed on a need-to-know basis and access to it will be strictly controlled.

Keep personal data safe and secure: only those with a genuine reason for doing so may gain access to the information. Sensitive Personal Data is securely stored under lock and key in the case of manual records and protected with firewall software and password protection in the case of electronically stored data. Portable devices storing personal data (such as laptops) should be encrypted and password protected before they are removed from the school premises. Confidential information will be stored securely and in relevant circumstances, it would be placed on a separate file which can easily be removed at access to general records is granted to anyone not entitled to see the confidential data.

Keep Personal Data accurate, complete and up-to-date: Students, parents/guardians and/or staff should inform the school of any change which the school should make to their personal data and/or sensitive personal data to ensure that the individual's data is accurate, complete and up-to-date. Once informed, the school will take the make all necessary changes to the relevant records. The Principal may delegate such updates or amendments to another member of staff, However, records must not be altered or destroyed without proper authorisation. If alteration or correction is required, then a note of the fact of such authorisation and the alteration(s) to be made to any original record/documentation should be dated and signed by the person making that change.

Ensure that it is adequate, relevant and not excessive: only the necessary amount of information required to provide an adequate service will be gathered and stored.

Retain it no longer than is necessary for the specified purpose or purposes 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, the school will comply with DES guidelines on the storage of Personal Data and Sensitive Personal Data relating to a student. In the case of members of staff, the school will comply with both DES guidelines and requirements of the Revenue Commissioners with regard to retention of records relating to employees. The school 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.

Provide a copy of their personal data to an individual, on request : Individuals have a right to know what personal data/sensitive personal data is held about them, by whom, and the purpose for which it is held.

Scope

Purpose of the Policy: The Data Protection Acts 1998 and 2003 apply to the keeping and processing of Personal Data, both in manual and electronic form. The purpose of this policy is to assist the school to meet its statutory obligations, to explain those obligations to school staff, and to inform staff, students and their parents/guardians how their data will be treated.

The policy applies to all School Staff, the Board of Management, parents/guardians, students and others (including prospective or potential students and their parents/guardians and applications for staff positions within the school) insofar as the school handles or processes their personal data in the course of their dealings with the school.

Definition of data protection terms

In order to properly understand the school's obligations, there are some key terms which should be understood by all relevant school staff:

Data means information in a form that can be processed. It includes both *automated* data (e.g. electronic data) and *manual data*. *Automated data* means any information on computer, or information recorded with the intention that it be *processed* by computer. *Manual Data* means information that is kept/recorded as part of a *relevant filing system* or with the intention that it form part of a relevant filing system.

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

Personal Data means data relating to a living individual who is or can be identified either 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 i.e. the school,

Sensitive Personal Data refers to Personal Data regarding a person's

- racial or ethnic origin, political opinions or religious or philosophical beliefs
- membership of a trade union
- physical or mental health condition or sexual life
- commission or alleged commission of any offence or
- any proceedings for an offence committed or alleged to have been committed by the person, the disposal of such proceedings or the sentence of any Court in such proceedings, criminal convictions or the alleged commission of an offence,

Data Controller for the purpose of this policy is the Board of Management of Cabinteely Community School.

Rationale

In addition to its legal obligations under the broad remit of educational legislation, the school has a legal responsibility to comply with the Data Protection Acts, 1988 and 2003.

This policy explains what sort of that is collected, why it is collected, for how long it will be stored and with whom it will be shared. As more and more that is generated electronically and as technological advances enable the easy distribution and retention of this data, the challenge of meeting the school's legal responsibilities has increased.

The school takes its responsibilities under the data protection law very seriously and wishes to put in place safe practices to safeguard individual's personal data. It is also recognised that recording factual information accurately and storing it safely facilitates an evaluation of the information, enabling the Principal and the Board of Management to make decisions in respect of the efficient running of the school. The efficient handling of data is also essential to ensure that there is consistency and continuity where there are changes of personnel within the school and Board of Management.

Other legal obligations

Implementation of this policy takes into account the school's other legal obligations and responsibilities. Some of these are directly relevant to data protection, for example:

- Under Section 9(g) of the Education Act 1998, the parents of a student, or a student who has reached the age of 18 years, must be given access to records kept by the school related to the progress of the student in their education
- Under Section 20 of the Education (Welfare) Act, 2000, the school must maintain a register of all students attending the School
- Under Section 20(5) of the Education (Welfare) Act, 2000, the principal 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 student is transferring
- Under Section 21 of the Education (Welfare) Act, 2000, the school must record the attendance or non-attendance of students registered at the school on each school day
- Under Section 28 of the Education (Welfare) Act, 2000, the School may supply *Personal Data* kept by it to certain prescribed bodies (the Department of Education and Skills; the National Education Welfare Board, the National Council for Special Education, other schools and other centres of education) provided the school is satisfied that it would be used for a "relevant purpose" (which includes recording a person's education or training history or monitoring their educational or training progress in order to ascertain how best they may be assisted in availing of educational or training opportunities or in developing their educational potential; or for carrying out research into examinations, participation education and the general effectiveness of education or training)

- Under Section 14 of the Education for Persons with Special Education Needs Act, 2004, the school is required to furnish to the National Council for Special Education (and its employees, which would include Special Educational Needs Organisers (SENOs)) such information as the Council may from time to time reasonably request
- The Freedom of Information Act 1997 provides a qualified rights to access to information held by public bodies which does not necessarily have to be “personal data” as with data protection legislation. 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 etc.) 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 who are served a notice on it of medical inspection, e.g. a dental inspection

Under the *Children First: National Guidance for the Protection and Welfare of Children* (2011) published by the Department of Children & Youth Affairs, schools, their Boards of Management and their staff have responsibilities to report child abuse or neglect to Tusla - Child and Family Agency (or in the event of an emergency and the unavailability of TUSLA, to an Garda Síochána).

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

Cabinteely Community School seeks to :

- enable each student to develop their full potential
- provide a safe and secure environment for learning
- promotes respect for diversity of values, beliefs, traditions, languages, and ways of life in society

We aim to achieve these goals while respecting the privacy and data protection rights of students, staff, parents/guardians and others who interact with us. The school wishes to achieve these aims/missions while fully respecting an individual's right to privacy and rights under the Data Protection Acts.

Personal Data

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

A Staff Records

(a) **Categories of staff data:** as well as existing members of staff (and former members of staff), these records may also relate to applicants applying for positions within the school, trainee teachers and teachers under probation. These staff records may include:

- Name, address and contact details, PPS number
- Original records of application and appointment to promotion posts
- Details of approved absences (career breaks, parental leave, study leave etc.)
- Details of work record (qualifications, classes taught, subjects etc.)
- Details of any accidents/injuries sustained on school property or in connection with the staff member carrying out the school duties
- Records of any reports the school (or its employees) have made in respect of the staff member State departments and/or other agencies under mandatory reporting legislation and/or child-safeguarding guidelines (subject to the DES Child Protection Procedures).

(b) **Purposes:** staff records are kept for the purposes of:

- the management and administration of school business (now and in the future)
- to facilitate the payment at staff, and calculate other benefits/entitlements (including reckonable service for the purpose of calculation of pension payments, entitlements and/or redundancy payments where relevant)
- to facilitate pension payments in the future
- human resources management
- recording promotions made (documentation relating to promotions applied for) and changes in responsibilities etc.
- to enable the school to comply with obligations as an employer including the preservation of a safe, efficient working and teaching environment (including complying with its responsibilities and the Safety, Health and Welfare at Work Act, 2005)
- to enable 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, or any other governmental, statutory and/or regulatory departments and/or agencies
- and for compliance with legislation relevant to the school

(c) **Location:** in a secure, locked filing cabinet that only personnel who are authorised to use the data can access. Employees are required to maintain the confidentiality of any data to which they have access

(d) **Security:** these records are kept in a manual personal file within a locked filing cabinet, and also on a database to which only authorised personnel have access and which is password protected

B Student Records

(a) *Categories of student data*: these may include:

- Information which may be sought and recorded at enrolment and may be collated and compiled during the course of the student's time in the school. These records may include:
 - name, address and contact details, PPS number
 - date and place of birth
 - names and addresses of parents/guardians and their contact details (including any special arrangements with regards to guardianship, custody or access)
 - religious belief
 - racial or ethnic origin
 - membership of the Traveller community where relevant
 - whether they (or their parents) are medical card holders
 - whether English is the student's first language and/or whether the student requires English language support
 - any relevant special conditions (e.g. special educational needs, health issues etc.) which may apply
- Information on previous academic records (including reports, references, assessments and other records from any previous school(s) attended by the student)
- Psychological, psychiatric and/or medical assessments
- Attendance records
- Photographs and recorded images of students (including at school events and noting achievements)
- Academic record - subjects studied, class assignments, examination results as recorded on official school reports
- Records of significant achievements
- Whether the student is repeating the Leaving Cert
- Whether the student is exempt from studying Irish
- Records of disciplinary issues/investigations and/or the sanctions imposed
- Garda vetting outcome record (where the student is engaged in work experience organised with or through the school which requires that they be Garda vetted)
- Other records e.g. record of any serious injuries/accidents etc. (Note: it is advisable to inform parents that a particular incident is being recorded)
- Records of any reports the school (or its employees) have made in respect of the student to State departments and/or other agencies under mandatory reporting legislation and/or child safeguarding guidelines (subject to the DES Child Protection Procedures)

(b) **Purposes:** the purposes for keeping student records are:

- to enable each student to develop to their full potential
- to comply with legislative or administrative requirements
- to ensure that eligible students can benefit from the relevant additional teaching or financial supports
- to enable parents/guardians to be contacted in 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 student
- photographs and recorded images of students are taken to celebrate school achievements, compile yearbooks, establishing and maintaining a school website, record school events, and to keep a record of the history of the school
- to ensure that the student meets the school's admission criteria
- to ensure that students meet the minimum age requirements for their course
- to ensure that any student seeking an exemption from Irish meets the criteria and also obtain such an exemption from the authorities
- to furnish documentation and information about the student to Department of Education and Skills, the National Council for Special Education, TUSLA, and other schools etc. in compliance with laws and directions issued by government departments
- to furnish, when requested by the student (or their parents/guardians in the case of the student under 18 years) documentation/information/references to third-level educational institutions and/or prospective employers
- in respect of a work experience placement, (where that work experience role requires that a student be Garda vetted) the school will assist the student in obtaining the Garda vetting outcome (with the consent of the student and their parent/guardian) in order to furnish a copy of same (with the consent of the student and the student's parent/guardian) to the work experience employer.

(c) **Location:** in a secure, locked filing cabinet that only personnel who are authorised to use the data can access. Employees are required to maintain the confidentiality of any data to which they have access.

(d) **Security:** these records are kept in the personal file within a locked filing cabinet, and also on a database to which only authorised personnel have access and which is password protected.

C Board of Management Records

(a) **Categories of Board of Management data:** these may include:

- Name, address and contact details of each member of the Board of Management (including former members 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.

(b) **Purposes:** to enable the Board of Management to operate in accordance with the Education Act 1998 and other applicable legislation and maintain a record of board appointments and decisions.

(c) **Location:** in a secure, locked filing cabinet and that only personnel who are authorised to use the data can access it. Employees are required to maintain the confidentiality of any data to which they have access.

(d) **Security:** these records are kept in a personal file within a locked filing cabinet, and also on a database to which only authorised personnel have access and which is password protected.

D Other Records

The school holds all the records relating to individuals. The format in which these records will be kept are manual record (personal file within a relevant filing system) and/or computer record (database). Some examples of the type of other records which the school will hold are set out below (this list is not exhaustive):

Creditors

(a) **Categories of data:** the school may hold some or all of the following information about creditors (some of whom are self-employed individuals):

- Name
- Address
- contact details
- PPS number
- tax details
- bank details and
- amount paid

(b) **Purposes:** this information is required for routine management and administration of the school's financial affairs, including the payment of invoices, the compiling of annual financial accounts and complying with audits and Investigations by the Revenue Commissioners.

(c) **Location:** in a secure, locked filing cabinet that only personnel who are authorised to use the data can access. Employees are required to maintain the confidentiality of any data to which they have access.

(d) **Security:** these records are kept in a personal file within a locked filing cabinet, and also on a database to which only authorised personnel have access and which is password protected.

Covid 19 related absences

- a) Categories of data: the school may hold some or all of the following information about students and staff:
- Personal details such as name, address, and date of birth
 - Contact details such as phone numbers and email addresses
 - Notes from medical practitioners or state agencies explaining absences involving testing for Covid 19 and/or isolation associated with infection or close contact to infected people.
- b) Purposes: to enable the school to satisfy its obligation and duties under:
- Recording absenteeism
 - Providing information to relevant health authorities for the management of the Covid 19 pandemic in terms of sharing personal information for the purposes of contact tracing
- c) Location: information for this purpose is held in an online Office365 OneNote account.
- The managing of this account is done by a company called Wriggle who is contracted by the school for the purpose of providing software and administrative services.
- d) Security: these records are kept in a password encrypted account to which only the Principal and Deputy Principal have access and which is password protected.

Charity Tax-back Forms

- **Categories of data:** the school may hold the following data in relation to donors who have made charitable donations to the school:
 - name
 - address
 - telephone number
 - PPS number
 - tax rate
 - signature and
 - the gross amount of donation
- **Purposes:** schools are entitled to avail of the scheme of tax relief for donations of money they receive. To claim the relief, the donor must complete a certificate (CHY2) and forward it to the school to allow it to claim the grossed up amount of tax associated with the donation. The information requested on the appropriate certificate is the parent's name, address, PPS number, tax rate, telephone number, signature and the gross amount of the donation. This is retained by the School in the case of audit by the Revenue Commissioners.
- **Location:** in a secure, locked filing cabinet that only personnel who are authorised to use the data can access. Employees are required to maintain the confidentiality of any data to which they have access.
- **Security:** these records are kept in the personal file within a locked filing cabinet and also on a database to which only authorised personnel have access and which is password protected.

CCTV images/recordings

- (a) **Categories:** CCTV is installed externally, i.e. perimeter walls/fencing and internally as detailed in the CCTV Policy. These CCTV systems may record imaged of staff, students and members of the public who visit the premises.
- (b) **Purposes:** Safety and security of staff, students and visitors and to safeguard school property and equipment.
- (c) **Location:** Cameras are located externally and internally as detailed in the CCTV Policy. Recording equipment is located in the Year Head's office and in the Principal's office.
- (d) **Security:** Access to images/recordings is restricted to the Principal and the Deputy Principal. DVDs, hard disk recordings are retained for 28 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 of the Data Protection Acts 1988 and 2003.

Examination Results

- (a) **Categories:** the school will hold data comprising examination results in respect of its students. These include class, mid-term, annual, continuous assessment and mock examination results.
- (b) **Purposes:** the main purpose for which the examination results and other records held is to monitor a student's progress and to provide a sound basis for advising them and their parents or guardians about subject choices and levels. The data may also be aggregated for statistical/reporting purposes, such as to compile results tables. The data may be transferred to the Department of Education and Skills, the National Council for Curriculum and Assessment and such other similar bodies.
- (c) **Location:** in a secure, locked filing cabinet that only personnel who are authorised to use the data can access. Employees are required to maintain the confidentiality of any data to which they have access.
- (d) **Security:** these records are kept within a locked filing cabinet, and also on a database to which only authorised personnel have access and which is password protected.

October Returns

- (a) **Categories:** at the beginning of each academic year (and for 1st Years or transferring students, on enrolment) parents/guardians and students are asked to provide the school with certain information so that the school can make returns to the Department of Education and Skills (DES) referred to as "October Returns", These October Returns will include sensitive personal data regarding personal circumstances which are provided by parents/guardians and students on the basis of explicit and informed consent. The October Returns contain individualised data (such as an individual student's PPS number) which acts as an "identifier" for the DES to validate the data that belongs to a recognised student. 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. The data will only be used by the DES for statistical, policy-making and research purposes. However, the DES advises that it does not use individual data, but rather aggregated data is grouped together for these purposes. The DES has a data protection policy which can be viewed on its website (www.education.ie). The DES has also published a "Fair Processing Notice" to explain how the personal data of students contained in the October Returns is processed, This can also be found on www.education.ie (search for Circular Letter 0047/2010 in the "Circulars" Section).
- (b) **Purposes:** the school asks parents/guardians and students to complete October Returns for the purposes of complying with DES requirements to determine staffing and resource allocations and facilitate the orderly running of the school. The main purpose of the October Returns is for the DES to determine whether the student qualifies for English language support and/or additional resources and support to make their particular educational needs. The October Returns are submitted to the DES

electronically. The DES has their own policy governing the security of the data sent them by all post-primary schools. The cooperation of each student and/or their parents/guardians in completing the October Returns is greatly appreciated as the school's aim is to ensure that each student is assisted in every way to ensure that he or she needs his or her full potential.

- (c) **Location:** in a secure, locked filing cabinet that only personnel who are authorised to use the data can access. Employees are required to maintain the confidentiality of any data to which they have access.
- (d) **Security:** these records are kept in a personal file within a locked filing cabinet, and also on a database to which only authorised personnel have access and which is password protected.

Links to other policies and to curriculum delivery

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

- Child Protection Policy
- Anti-Bullying Policy
- Code of Behaviour
- Admissions Policy
- CCTV Policy
- Substance Abuse Policy
- Internet Acceptable Use Policy

Processing in line with data subject's rights

Data in the school will be processed in line with the data subject's rights.

Data subjects have a right to:

- (a) request access to any data held about them by a Data Controller
- (b) prevent the processing of their data for direct-marketing purposes
- (c) ask to have inaccurate data amended
- (d) prevent processing that is likely to cause damage or distress to themselves or to anyone else.

Dealing with data access requests

Section 3 access request

Under Section 3 of the Data Protection Acts, an individual has the right to be informed whether the school holds data/information about them and to be given a description of the data together with details of the purpose for which the data is being kept. The individual must make this request in writing and the data controller will accede to the request within 21 days.

The right under Section 3 must be distinguished from the much broader right contained in Section 4, where individuals are entitled to a copy of their data.

Section 4 access request

Individuals are entitled to a copy of their personal data on written request.

- The individual is entitled to a copy of their personal data (subject to some exemptions and prohibitions set down in Section 5 of the Data Protection Acts)
- Request must be responded to within 40 days
- Fee may apply but cannot exceed €10.00
- Where a subsequent a similar request is made soon after request has just been dealt with, it is at the discretion of the school as data controller to comply with the second request (no time limit but reasonable interval from the date of compliance with the last access request). This will be determined on a case-by-case basis.
- No personal data can be supplied relation 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 only where it has not been possible to redact the data to ensure the third party is not identifiable would the school refuse to furnish the data to the applicant,

Providing information over the phone

In our school, an employee dealing with telephone enquiries should be careful about disclosing any personal information held by the school over the phone. In particular the employee should:

- Check the identity of the caller to ensure the information is only given to a person who is entitled to that information
- Suggest that the caller put their request in writing if the employee is not sure about the identity of the caller and in circumstances where the identity of the caller cannot be verified
- Refer the request to the Principal for assistance in difficult situations. No employee should feel forced into disclosing personal information.

Implementation arrangements, roles and responsibilities

In our school the Board of Management is the Data Controller and the Principal will be assigned the role of co-ordinating implementation of this Data Protection Policy and for ensuring that staff will handle or have access to *Personal Data* are familiar with their data protection responsibilities.

The following personnel have responsibility for implementing the Data Protection Policy:

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

Ratification and communication

When the Data Protection Policy has been ratified by the Board of Management, it becomes the school's agreed Data Protection Policy. It would then be dated and circulated within the school community. The entire staff will be made familiar with the Data Protection Policy and will put it into practice in accordance with the specified implementation arrangements.

Parents/guardians and students will be informed of the Data Protection Policy from the time of enrolment of the student e.g. by including the Data Protection Policy as part of the Enrolment Pack, by either enclosing it or incorporating it in as an appendix to the enrolment form.

Monitoring the implementation of the policy

The implementation of the policy shall be monitored by the Principal and a sub-committee of the Board of Management.

At least one annual report will be issued to the Board of Management to confirm that the actions/measures set down under the policy are being implemented.

Management of Data Offsite

The school is using the Microsoft Office365 suite, through a company called Wriggle, to enable it to effectively manage the range of programmes that the school is using to manage and enhance teacher and learning; effective communication and record keeping.

All data is access by staff and students through secure passwords and is governed by the school's AUP policies (see school's AUP Policy and Communication Policy (draft as of November 2020))

Wriggle is fully compliant with the laws and statutes around managing data for schools and companies and has provided certification to support this status.

The school uses a company called PTMOrg to facilitate the organisation of Parent Teacher Meetings. PTMOrg is an online portal where parents are able to arrange appointment times with teachers.

Data, extracted from VSWAre, is processed off site and is used solely for the purposes of linking student's names and classes with their teachers

PTMOrg is fully compliant with the laws and statutes around managing data for schools and and has provided certification to support this status.

Records Retention Schedule

Cabinteely Community School

Retention of Records

Schools as *data controllers* must be clear about the length of time for which personal data will be kept and the reasons why the information is being retained. 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. It may also be anonymised to remove any personal data. Anonymisation must be irrevocable; removing names and addresses may not necessarily be sufficient.

In order to comply with this legal requirement, Cabinteely Community School has assigned specific responsibility and introduced procedures for ensuring that files are purged regularly and securely and that personal data is not retained any longer than is necessary. All records will be periodically reviewed in light of experience and any legal or other relevant indications.

IMPORTANT: In all cases, schools should be aware that where proceedings have been initiated, are in progress, or are reasonably foreseeable (although have not yet been taken against the school/board of management/an officer or employee of the school (which may include a volunteer)), all records relating to the individuals and incidents concerned should be preserved and should under no circumstances be deleted, destroyed or purged. The records may be of great assistance to the school in defending claims made in later years.

WARNING: In general, the limitation period does not begin to run until the person concerned acquires knowledge of the facts giving rise to the claim and the Statute of Limitations may be different in every case. In all cases where reference is made to “18 years” being the date upon which the relevant period set out in the Statute of Limitations commences for the purposes of litigation, the school must be aware that in some situations (such as the case of a student with special educational needs, or where the claim relates to child sexual abuse, or where the student has not become aware of the damage which they have suffered, and in some other circumstances), the Statute of Limitations **may not begin to run when the student reaches 18 years of age and specific legal advice should be sought by schools on a case-by-case basis.** In all cases where retention periods have been recommended with reference to the relevant statutory period in which an individual can make a claim, these time-frames may not apply where there has been misrepresentation, deception or fraud on the part of the respondent/defendant. In such a circumstance, the school should be aware that the claim could arise many years after the incident complained of and the courts/tribunals/employment fora may not consider the complainant to be “out of time” to make their claim.

Student Records	Comments
Registers/Roll books	Indefinitely. Archive when class leaves + 2 years
State exam results	SEC responsibility to retain, not a requirement for school to retain.

Records relating to pupils/students	Comments
Enrolment Forms	18 is age of 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)
Student transfer forms (Applies from primary to primary; from one second-level school to another)	Student reaching 18 years + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Disciplinary notes	18 years + 2
Results of in-school tests/exams (i.e. end of term, end of year exams, assessment results)	18 is age of 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).
End of term/year reports	18 is age of 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)
Records of school tours/trips, including permission slips, itinerary reports	For so long as the purpose exists.
Scholarship applications e.g. Gaeltacht, book rental scheme	18 is age of 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)
Garda vetting form & outcome - Students	Record of outcome retained for 12 months. School to retain the reference number and date of disclosure on file, which can be checked with An Garda Siochana in the future.

Sensitive Personal Data Students	Comments
Psychological assessments	Age 18 + 7 years.
Special Education Needs' files, reviews, correspondence and Individual Education Plans	Age 18 + 7 years.
Accident reports	10 years, then age 18 + 2 years
Child protection records	Age 18 + 7 years.
Section 29 appeal records	2 years at least then at school's discretion as needed.
Enrolment/transfer forms where child is not enrolled or refused enrolment	2 years at least then at school's discretion as needed.
Records of complaints made by parents/ guardians	Depends entirely on the nature of the complaint but no longer than is necessary for the purpose of recording. If it is a complaint of a more mundane nature (e.g. misspelling of child's name, parent not being contacted to be informed of parent-teacher meeting) or other minor matter, then student reaching 18 years + 7 years (6 years in which to take a claim, and 1 year for proceedings to be served on school)

Staff Records	Comments
<p>Recruitment process 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>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>Applications & CVs of candidates called for interview</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>Database of applications</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>Selection criteria</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>

Applications of candidates not shortlisted	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.
Unsolicited applications for jobs	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.
Candidates shortlisted but unsuccessful at interview	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.
Candidates shortlisted and are successful but do not accept offer	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.
Interview board marking scheme & board notes	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.
Panel recommendation by interview board	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.

Staff personnel files (whilst in employment)	Comments
e.g. applications, qualifications, references, recruitment, job specification, contract, Teaching Council registration, records of staff training etc.	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)

Application &/CV	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)
Qualifications	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)
References	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)
Interview: database of applications (the section which relates to the employee only)	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)
Selection criteria	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)
Interview board marking scheme & board notes	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)
Panel recommendation by interview board	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)
Recruitment medical	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)
Job specification/description	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)
Contract/Conditions of employment	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)
Probation letters/forms	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)

POR applications and correspondence (whether successful or not)	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)
Leave of absence applications	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)
Job share	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)
Career Break	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)
Maternity leave	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)
Paternity leave	Retain for 2 years following retirement/resignation or the 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) (whichever is the greater).
Parental leave	Must be kept for 8 years - Parental Leave Act 1998 Retain for 8 years or the 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) (whichever is the greater). There is a statutory requirement to retain for 8 years.
Force Majeure leave	Retain for 8 years or the 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) (whichever is the greater). There is a statutory requirement to retain for 8 years.
Carers leave	Must be kept for 8 years - Carer's Leave Act 2001 Retain for 8 years or the 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) (whichever is the greater). There is a statutory requirement to retain for 8 years
Working Time Act (attendance hours, holidays, breaks)	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). There is a statutory requirement to retain for 3 years
Allegations/complaints	Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served). 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.

Grievance and Disciplinary records	Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served). 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.
------------------------------------	---

Occupational Health Records	Comments
Sickness absence records/certificates	Re sick leave scheme (1 in 4 rule) ref DES C/L 0060/2010 Retain for 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school).
Pre-employment medical assessment	Retain for 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school).
Occupational health referral	Retain for 7 years (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 relates to an accident/ injury/ incident sustained in relation to or in connection with the individual’s duties within the school, in which case, do not destroy.
Correspondence re retirement on ill-health grounds	Retain for 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school).
Accident/injury at work reports	Retain for 10 years, or the duration of the 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), whichever is the greater.
Medical assessments or referrals	Retain for 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school).
Sick leave records (sick benefit forms)	In case of audit/refunds, Current year 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)

Superannuation /Pension /Retirement records	Comments
Records of previous service (incl. correspondence with previous employers)	DES advise that these should be kept indefinitely.
Pension calculation	Duration of employment + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) or for the life of employee/former employee 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) (whichever is the longer)
Pension increases (notification to Co. Co.)	Duration of employment + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) or for the life of employee/former employee 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) (whichever is the longer)
Salary claim forms	Duration of employment + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) or for the life of employee/former employee 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) (whichever is the longer)

Government returns	Comments
Any returns which identify individual staff/pupils,	Depends upon the nature of the return. If it relates to pay/pension/benefits of staff, keep indefinitely as per DES guidelines. If it relates to information on students, e.g. October Returns, Annual Census etc., keep in line with "Student Records" guidelines above.

Board of Management Records	Comments
Board agenda and minutes	Indefinitely. These should be stored securely on school property

School closure	On school closure, records should be transferred as per Records Retention in the event of school closure/amalgamation . A decommissioning exercise should take place with respect to archiving and recording data.
Other school based reports/minutes	Comments
CCTV recordings	30 days in the normal course, but longer on a case-by-case basis e.g. where recordings/images are requested by An Garda Síochána as part of an investigation or where the records /images capture issues such as damage/vandalism to school property and where the images/recordings are retained to investigate those issues.
Principal's monthly report including staff absences	Indefinitely. Administrative log and does not relate to any one employee in particular: the monthly reports are not structured, either by reference to individuals or by reference to criteria relating to individuals, in such a way that specific information relating to a particular individual is readily accessible. Not a "relevant filing system".
Financial Records	Comments
Audited Accounts	Indefinitely
Payroll and taxation	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. These records can be kept either on a manual or computer system.
Invoices/back-up records/receipts	Retain for 7 years

Promotion process	Comments
Posts of Responsibility	Retain indefinitely on master file as it relates to pay/pension etc. (See DES guidelines)
Calculation of service	Retain indefinitely on master file as it relates to pay/pension etc. (See DES guidelines)
Promotions/POR Board master files	Retain in line with personnel file.
Promotions/POR Boards assessment report files	Retain original on personnel file in line with retention periods in "Staff Records" retention guidelines above
POR appeal documents	Retain original on personnel file, and copy of master & appeal file. Retain for duration of employment + 7 years (6 years in which to take a claim, plus 1 year to serve proceedings on school). Copy on master and appeal file.
Correspondence from candidates re feedback	Depends upon nature of feedback. If feedback is from unsuccessful candidate who is not an employee within the school, keep in line with retention periods in "Staff Records" above. If feedback is from successful candidate or from unsuccessful candidate who is already an employee within the school, keep in line with "Staff personnel while in employment" above.

Addendum to GDPR Policy to reflect requirements under Covid-19 regulations to supply personal data on staff and students to the Health Service Executive (HSE)

The school has completed the Schools Community Covid-19 Pathway Data and Referral Template for the HSE.

This template has been developed to facilitate the collection of core data relating to schools' contacts arising from a Public Health Risk Assessment undertaken as part of the Covid 19 Schools Pathway.

The data required is as follows:

School details:

Type of school

Roll number

Name and address of school

School Eircode

Details of Principal

Out of hours mobile phone number (Principal)

Student details:

Mandatory Data

* Student Y/N? - enter Student from drop down list

* Student Forename

* Student Surname

* Student Gender

* Student Date of Birth (format e.g. 31-12-2020)

* Students Home Address - First Line of Address

* Students Home Address Town or City

* Students Home Address County

* Parent / Legal Guardian Mobile Phone No. (for receipt of Appointment Messages and Test Results)

* Parent / Legal Guardian Forename

* Parent / Legal Guardian Surname

* Parent / Legal Guardian Mobile Phone No.

* Students Class Name

Optional Data

* Student's Home Eircode

* Alternative Contact Forename (to be contacted in the event that the Parent/Guardian can not be contacted)

* Alternative Contact Surname

* Alternative Contact Mobile Phone No. (*Mandatory where an Alternative Contact is provided)

This data will be used to facilitate the creation of referrals for Covid 19 testing, to allow for the communication of test appointment details and Covid 19 test results as part of the contact tracing active follow up process.

Staff details:

Mandatory Data

- * Staff Member Y/N? - enter Staff from drop down list
- * Staff Forename
- * Staff Surname
- * Staff Gender
- * Staff Date of Birth (format 31-12-1990)
- * Staff Mobile Phone No. / Nominated Mobile Phone No. to receive Appointment Messages and Test Results
- * Staff Home Address - First Line of Address
- * Staff Home Address Town or City
- * Staff Home Address County

Optional Data

- *Staff Home Eircode