

Presentation Girls' School, Maynooth

DATA PROTECTION PRIVACY STATEMENT FOR STAFF, PARENTS, GUARDIANS AND PUPILS

Individuals have rights in relation to their personal information and these rights have been enhanced by the General Data Protection Regulation 2018 (GDPR). This Data Protection Privacy Statement describes how we at **Presentation Girls' School** collect and process personal data, in accordance with the GDPR and the school's legal.

This policy is supplemented by the following policies:

1. Data Protection Policy
2. Password Protection Policy
3. Internet Security Policy
4. Removal or Deletion of Data Policy
5. Data Breach Policy
6. Right of Erasure Policy
7. Cloud Storage Policy
8. External Storage Device Policy
9. Use of Personal Computer Devices Policy
10. C.C.T.V. Policy
11. School Email Policy
12. Individuals Right to Rectification Policy
13. Individuals Right of Access Policy
14. Compliance Assurance Internal Audit Policy

Processing is the legal term used to describe various acts including - the collection, recording, organisation, structuring, storage, alteration, use of, retrieval, disclosure or transmission of information in both digital and hardcopy format.

This Statement applies to pupils, parents, guardians, teaching and non-teaching staff. By accepting employment (staff and non-teaching staff) or enrolling your child in and/or by attending **Presentation Girls' School** you acknowledge and agree to the collection and processing of personal information by the school.

This privacy statement outlines:

- Who we are and how to contact us;
- What information we collect, process and retain;
- How information is collected and processed and the purpose and legal basis for so doing;
- The sharing information with third parties;
- Individual legal rights.

WHO WE ARE AND HOW TO CONTACT US

Presentation Girls' School is responsible for personal data - i.e. information relating to an identified or identifiable natural person.

Presentation Girls' School processes personal data, i.e. the school collects, records, stores, retains and uses personal data.

Presentation Girls' School will respond to your questions in relation to this data protection statement and our approach to privacy.

If you have any questions about this data protection statement, including any request to exercise your legal rights, please contact **Presentation Girls' School** by Email: info@presgirlsmaynooth.ie or Telephone 01 6286034

INFORMATION COLLECTED

Presentation Girls' School may collect the following personal information on staff, non-teaching staff, pupils and parents/guardians:

Staff and non-Teaching Staff

- Personal details such as name, address, date of birth, gender, PPS number, nationality and emergency contact information
- References
- Garda Vetting
- Academic records
- Details of approved absences (career breaks, parental leave, study leave, unpaid leave. Covid-19 related leave (circular 40/2020))
- Return to Work Forms

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Pupil Information - General

- Personal details such as name, address, date of birth, gender, PPS number, nationality, emergency contact information and information in relation to the pupil's family as may be required
- Any Special Education Needs (SEN)
- Any Child Protection information
- Academic records, school reports, pupil learning needs, pupil behavior needs, permission for access to educational reports, individual education and learning support plans
- Personal pupil profiles (including whether English is the pupil's first language or if exempt from any subjects e.g. Irish or religion)
- Psychological referral/assessment documentation and permission for access to psychological reports
- Information for the Primary Online Database (POD)
- Information for Special Educational Needs Organiser (SENO),
- Information for TUSLA (the Child and Family Agency) and/or the Health Service Executive (HSE),
- Attendance records and explanatory notes in relation to absences,
- Disciplinary records including notes that may be held by the teacher(s), incident and accident reports, investigations and sanctions if imposed,
- Permission notes in respect of school activities e.g. school tours/trips and outings, extracurricular activities, (including Curricular, RSE/Stay Safe Programme(s)),
- Photographs and recorded images of pupil(s) (including at school events),
- School Transport information,
- CCTV footage and other information obtained through electronic means,

Sensitive Personal Information — Pupils

- Information about pupil's health, medical certificates, medical needs, allergies and consent for administration of medicine,
- Religious belief and confirmation of engagement or not in Religious Sacraments,
- Membership of the Traveller Community,
- Racial or Ethnic origin.

Parent / Guardian Information

- Contact details of parent / guardian e.g. name, address, email address, telephone number(s)
- Information regarding legal orders in respect of any family law disputes in respect of guardianship, custody or access,
- Occupation and nationality,
- Number of children, position of pupil(s) in family,
- Consent in respect of medical/other emergencies,
- Consent in respect of school activities e.g. school tours/trips and outings, extra-curricular activities,
- Consent to publish photographs and schoolwork of pupils on school website / print media etc.,
- Records, correspondence or notes arising from interaction with Parents / Guardians,

PURPOSE & LEGAL BASIS FOR COLLECTING & PROCESSING INFORMATION

Presentation Girls' School collects and processes personal information (as listed above) about staff, non-teaching staff, pupils and parents / guardians for a variety of purposes and relies on a number of legal grounds to do so. **Presentation Girls' School** requires this information to perform our duties and responsibilities and to comply with our legal and statutory obligations. In addition, **Presentation Girls' School** requires this personal information to pursue the legitimate interests of the school and our dealings with relevant third parties (see below). The legitimate interests upon which we rely is the effective operation and management of **Presentation Girls' School** and managing the education and welfare needs of our staff and pupils. **Presentation Girls' School** processes personal data on the basis of the following lawful purposes:

a) Legal Obligation

Presentation Girls' School collects and process personal information to comply with our legal and statutory obligations, including, but not limited to those under the Education Act 1998 (as Amended), the Education (Welfare) Act 2000, the Education for Persons with Special Needs (EPSEN) Act 2004, the Health Act 1947, the Children First Act 2015, the Child Protection Procedures for Primary and Post-Primary Schools 2017, the Teaching Council Acts 2001-2015 and Safety Health and Welfare at Work legislation

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b) Legitimate Interests

Presentation Girls' School may also process personal information to:

- Enable Pupils to develop to their full potential and meet the educational, social, physical and emotional requirements of the pupil,
- Enable Parents and Guardians to be contacted in the case of emergency, school closures and to inform Parents and Guardians of their child's educational progress,
- Secure and benefit from the support and services of relevant third parties.

c) Consent

Presentation Girls' School sometimes process some of pupils' personal information with consent e.g. photograph which may be displayed on the school's website or on social media platforms or in the print media. Please note that consent can be withdrawn at any time by contacting the school.

HOW PERSONAL INFORMATION IS COLLECTED

1. Staff

Presentation Girls' School collect personal information about staff through the application process, references and the Garda Vetting process. Additional information is collected from third parties, including educational bodies and former employers.

2. Pupils

Presentation Girls' School collect personal information about pupils through the enrolment process and/or through expressions of interest in relation to enrolment. Additional information is collected from third parties, including former schools and through school activities and general interaction(s) during the course of the pupil's time at **Presentation Girls' School**.

3. Parents and Guardians

Presentation Girls' School collect personal information about parents and guardians through the enrolment process or expressions of interest for enrolment. We collect additional personal information through general interaction during the course of the pupil's time at **Presentation Girls' School**.

INFORMATION AND THIRD PARTIES

Presentation Girls' School may receive from, share and/or transfer information to a range of third parties such as the following:

- *The Department of Education and Skills*
- *TUSLA /the Child and Family Agency*
- *The National Council for Special Education*
- *National Educational Psychological Service (NEPS)*
- *Department of Social Protection and/or other state benefit providers*
- *An Garda Síochána*
- *School Insurance Provider*
- *Third Party Service Providers:* We may share personal information with third party service providers that perform services and functions at our direction and on our behalf such as our accountants, IT service providers including, printers, lawyers and other advisors, and providers of security and administrative services, including data processing / cloud storage service

COVID-19

a) *Category: Contact Tracing Forms*

For the purposes of COVID-19 contact tracing, the HSE may require a school to provide the personal data of staff, pupils, and parents. This transfer of data by a school as a data controller has a legal basis in data protection law as being, "necessary for compliance with a legal obligation to which the controller is subject (Article 6(1)(c) GDPR)." The Infectious Disease Regulations 1981 provide medical officers of health with the power to take steps, including the collection of personal data, as are necessary for preventing the spread of an infectious disease. Article 9(2)(i) GDPR and Section 53 of the Data Protection Act 2018, further enable the processing of health data by the public health authorities where necessary for public interest reasons in the area of public health including protecting against serious cross border threats to health.

b) *Purposes: The purpose for keeping the Contact tracing forms are:*

- i. As the legal basis for processing personal data is identified as compliance with a legal obligation, the consent of parents is not necessary and this processing will not be optional.
- ii. Once the data has been transferred, the HSE will act as a data controller for the purpose of conducting contact tracing.

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DATA RETENTION

We will only retain personal information for as long as it is necessary to fulfil the purposes the information was collected for, including any legal, accounting or reporting requirements. See Appendix 1.

TRANSFER OF PERSONAL INFORMATION OUTSIDE THE EUROPEAN UNION

Presentation Girls' School collect personal information about pupils through the enrolment process and/or through expressions of interest in relation to enrolment. Additional information is collected from third parties, including former schools and through school activities and general interaction(s) during the course of the pupil's time at **Presentation Girls' School**.

Presentation Girls' School may not transfer the personal information we collect to countries outside the EU where there is no adequacy decision by the European Commission in respect of any such country that means that that country is deemed not to provide an adequate level of protection for your data. However, to ensure personal information does receive an adequate level of protection we will in such circumstances put in place appropriate measures such as the use of model contractual clauses as approved by the European Commission to ensure personal information is treated by those third parties in ways that are consistent with respect to EU and Irish Laws on Data Protection.

INDIVIDUAL RIGHTS

Individuals have several rights under GDPR which in certain circumstances are limited and/or constrained. These individual rights include the right — free of charge and subject to any limitations as may apply — to:

- Request a copy of the personal information held about the individual;
- Rectify any inaccurate personal data held about the individual;
- Erase personal information held about the individual;
- Restrict the processing of individual personal information;
- Object to the use of individual personal information for our legitimate interests;
- Receive individual personal information in a structured commonly used and machine-readable format and to have that data transmitted to another data controller.

If you wish to exercise any of these rights, please contact us at the school by Email: info@presgirlsmaynooth.ie or Telephone 01 6286034

Presentation Girls' School will endeavor to respond to a request within a month. If we are unable to deal with the request within a month we may extend this period by a further two months and we will explain why.

You also have the right to lodge a complaint to the office of the Data Protection Commission.

MONITORING THE IMPLEMENTATION OF THE POLICY

The implementation of the policy shall be monitored by the Principal, staff and Board of Management.

REVIEWING AND EVALUATING THE POLICY

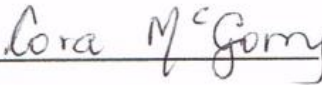
The policy will be reviewed and evaluated after 2 years. On-going review and evaluation will take cognizance of changing information or guidelines (e.g. from the Data Protection Commissioner, Department of Education and Skills or TUSLA). The policy will be revised as necessary in the light of such review and evaluation and within the framework of school planning.

RATIFICATION & COMMUNICATION

This policy was reviewed and ratified by the Board of Management on 15th March 2022. The ratification of the policy is recorded in the minutes.

The additional policies which supplement this Data Protection Policy are also deemed to be ratified.

Signed: 
(Chairperson of Board of Management)

Signed: 
(Principal)

Date: 15-03-22

Date: 15/3/2022

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APPENDIX 1

DATA RETENTION PERIODS FOR PRESENTATION GIRLS' SCHOOL

<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 Section 29 Appeals	Indefinitely Hold until Pupil is 25 Years Indefinitely Hold until pupil is 25 Years Indefinitely Indefinitely Indefinitely Indefinitely Indefinitely
<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 Documents corresponding to disciplinary issues.	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><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></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>	