

Data Protection and Record-keeping Policy

This policy is currently under review to ensure compliance with GDPR.

Introduction:

The purpose of the policy is to;

- specify the records required to be retained by the school and/ or Dept. of Education and Skills.
- to put in place manageable procedures in relation to access to such records by parents and stake holders.

Rationale:

- A policy on data protection and record keeping is necessary to ensure that the Dept. of Education and Skills / 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
- This policy must comply with legislation such as;
 - Education Act, Section 9(g) requiring a school to provide access to records to students over 18/parents
 - Education Welfare Act – requiring a school to report school attendance and transfer of pupils.

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

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- To stipulate the length of time records and reports will be retained.

1. Personal Data:

This data relates to personal details of the students such as name, address, date of birth, gender, ethnic origin, nationality, medical details, dietary information, PPSN, contact details and parents' names. These are stored and filed in hard copy at reception/office and as outlined in Appendix A on POD* and the school administration system 'aladdinschools' where relevant.

2. Student Records:

Student details / records are held;
by each class teacher in his/her Assessment Folder / Planning Folder / Roll Book,
by the learning support teachers his/her Assessment Folder / Planning Folder and/or in the Deputy Principal's Office,
the School Administration System – 'alladinschools.com'
Primary Online Database (POD)* where relevant as outlined in Appendix A

Student records may contain Personal Data listed in Appendix A such as:

- Personal details of the student
- Medical data
- Diagnostic Tests Reports
- Individual Education Plans
- Learning Support/Resource Data such as records of permission/refusal to access LS/RT services in the school,
- Correspondence with outside educational / health agencies such as NEPS, HSE, NESE
- Psychological/Clinical/Occupational Therapy/Speech and Language Assessments
- Standardised Test Results
- Screening Test such as MIST and NRIT

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- Teacher – designed tests. Each class teacher designs his/ her own test template
- Portfolios of student work e.g. Art / Creative Writing.
- School report cards
- Attendance Records
- Details of behavioural incidents / bullying reports / or accidents.
- Correspondence with home re school issues.

3. Staff Data

This data relates to personal and professional details of the Staff such as name, address, date of birth, contact details, next of kin, payroll number, attendance records, qualifications, school records, sick leave, CPD, curriculum vitae, school returns, classes taught, seniority. These are stored at reception / principal's office/secure store room and as outlined in Appendix A on 'POD'* and the school administration system 'Aladdinschools' where relevant.

4. Administrative Data:

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

Access to Records:

The following will have access where relevant and appropriate to the data listed above;

- Parents/guardians
- Past pupils over 18
- Health Service Executive
- Designated school personnel

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- Department of Education & Skills
- First and second-level schools (where relevant).

School Pupil Progress Report

A standardised yearly school pupil progress report is issued by email / post / collection from school in June. Parents may request that the report is not sent by email.

Digital Storage of Data on POD (Primary Online Database)

The Department of Education and Skills individualised database for primary school pupils is called the Primary Online Database (POD). The school uses the primary schools administration system call 'alladinschools' which will synchronise with POD. With regard to the storage and processing of individualised data, the Department is committed to:

- abiding by the Data Protection Act 1988 and the Data Protection (Amendment) Act 2003;
- respecting individuals rights to confidentiality and privacy;

The obligations placed on users of data under the Data Protection Acts can be categorised under the Eight Rules of Data Protection. The school and Department of Education and Skills shall comply with each of these rules in relation to data stored on the Primary Online Database and 'Aladdin schools.'

1- Obtain and process information fairly

The Primary Online Database (POD) is a database of pupils enrolled in primary and special schools, which are recognised by the Department. While the database is hosted by the Department, the pupils' data will be maintained by the school on the schools administration system – Aladdin schools.

There will be three categories of pupil personal data stored.

o **Category 1** - personal data shared between the school and the Department

o **Category 2** - sensitive personal data shared between the school and the Department

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- o **Category 3** - personal data, including sensitive data, which is only accessible to the school.

Full details of the type of data stored in POD and the schools administration system are provided in **Appendix A**.

In relation to Category 1 Data and Category 2 Data, held on POD / schools administration system (aladdinschools), there are two distinct types of consent required, and the approaches to be adopted are as follows:

- Category 1 refers to data which is non-sensitive personal data such as name, address, Personal Public Service Number (PPSN), etc.

In respect of these data fields, the parents/guardians are advised by way of this notice:

- o That both the school and Department collect this data,
- o The purposes for which this data is collected,
- o How this data is stored,
- o Other bodies with whom this data may be shared
- o How long this data is retained.

- Category 2 refers to data which is sensitive personal data. This data includes the ethnic\cultural background of the pupil, and the pupil's religion. In relation to these fields, the express written consent of the parents/guardians or students (over 18 years) is required, before this data can be recorded for a student on POD and accessed by the Department of Education. A suggested consent form used to collect this type of data is provided in **Appendix B**.

Data on ethnic or cultural background is required in some cases for the purpose of allocating appropriate resources to schools to meet the individual needs of children from these communities and to comply with a number of international reporting requirements for children from these communities. Data on religion and other

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ethnic or cultural origins is required for statistical analysis and in order to underpin future policy and planning within the Department. Primary school authorities are required to gain the written consent from the relevant parents/guardians or students, as appropriate, before data on these two data fields is recorded on POD.

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Both the school and the Department are data controllers for data in Category 1 and Category 2.

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Data Controller – means a person who, either alone or with other, controls the contents and use of personal data)

For Category 3 the school is the data controller with the

Department acting as a data processor (**Data Processor** – means a person who processes personal data on behalf of a data controller)

on behalf of the school. The Department will provide the functionality and means of recording the information for Category 3, but will not be able to view the data. The data in Category 3 will be encrypted by the Dept. and therefore it is only visible to school users.

For all the above categories, under Data Protection legislation, parents/guardians have the right to object to the processing of their child's (or their own) personal data, if they feel that the data is not being processed in a fair manner or used for a valid reason. They also have the right to block certain uses of the data and correct errors, in the unlikely event that they identify any errors in this data held about their child (or themselves).

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2- Keep it only for one or more specified, explicit and lawful purposes

The Department of Education and Skills will use pupils' data on POD in Category 1 and some Category 2 data to establish the teaching posts and core funding to be allocated to each recognised primary school, for the following school year. For a pupil to be included in this calculation, he/she must be validly enrolled in a recognised school, in accordance with the requirements as specified in departmental circulars.

The Department also will use pupil data in categories 1 and 2 stored in POD for planning, policy and statistical purposes. In general, it does not use individual data for these purposes, but rather aggregates this data to meet its business needs. A small proportion of the data recorded by schools on POD is required for these purposes only.

3- Use and disclose it only in ways compatible with these purposes.

Schools may only access the data of students currently enrolled in their schools.

It is Departmental policy that only a small number of Departmental staff, who have a specific requirement which is related to their work, have access rights to view the personal data in Category 1 and Category 2 of students.

Personal data stored on POD and only accessible by the school, i.e. Category 3, is encrypted and no staff member of the Department will have access to this data.

The Department also proposes to share some of the personal data stored on POD with other State bodies. These are:

- Central Statistics Office, under the Statistics Acts to assist with

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the compilation of national statistics.

- The National Council for Special Education, under the

Education Welfare Act, in order to assist in supporting resource allocation in relation to pupils with special educational needs.

- The Child and Family Agency, under the Education Welfare Act, to ensure that each child of compulsory school age is in receipt of an education.
- To meet the Department's business needs in regard to the allocation of resources to schools, the Department will share a limited amount of each pupil's personal data, including a child's PPS number with the Department of Public Expenditure and Reform PPSN validation service, or directly with the Department of Social Protection Client Identity Database area, in order to validate the identity of each pupil and ensure that the correct resource allocation is granted to each school. The legal basis for this sharing of data is set out in Social Welfare Acts

The Department will put in place a data user agreement with each of these bodies, which includes the purpose for which the body requires the data, its storage, security and retention. Details of similar existing data user agreements already in place at post primary level are available on the Department's website at www.education.ie (and search for P-POD)

Schools within the POD system may also exchange data in Categories 1 and 2 for the purposes of facilitating inter-school transfer of the pupil. Explicit parental consent must be given for sensitive personal data (i.e. Category 2 data) to be transferred from one school to another. In the case of other personal data (i.e. Category 1 data), schools may only access pupil data on POD in the case where they have already enrolled the pupil in their school.

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4- Keep it safe and secure

POD will be hosted by the Department and accessed by schools through the *esinet* portal. The *esinet* portal is a secure network managed and controlled by the Department. It may only be accessed through password controlled accounts. The Department will maintain audit records of users who access the POD system. The school administration system is hosted by 'aladdin schools.com'

The agreed protocol between the Department and the management bodies for schools, and to which schools are required to adhere, will oblige schools to segregate the various users who have access to POD by duties and responsibilities. Access at school level is through password controlled accounts. Where data is exported by schools from POD to local software such as 'aladdinschools,' the school will be required to encrypt the data during transfer and store the resultant data on secure local systems.

5- Keep it accurate, complete and up-to-date

The pupil data on POD shall be maintained by the school in which the student is enrolled. The school is obliged to ensure that the data of its pupils is accurately maintained. In St Patrick's N.S. parents re-register each year in March/April to indicate that their child(ren) will be returning the following September and to update personal data.

6- Ensure that it is adequate relevant and not excessive.

The Department, in consultation with the management bodies for schools, the Irish Primary Principals Network, the National Parents' Council and other key stakeholders in the education system will review from time to time the data on pupils required to manage and administer the education system.

The Department is continually reviewing its retention policy for

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pupil data in consultation with the Office of the Data Protection Commissioner and will update its retention policy from time to time. Any amendments will be available on the Department's website, www.education.ie

7- Retain it for no longer than is necessary for the purpose or purposes.

The Department will retain personal data in categories 1 and 2 for each pupil on POD for the longer of either the period up to the pupil's thirtieth birthday and subject to review thereafter or for a period of ten years since the student was last enrolled in a primary school.

The ten year period is required for audit and accounting purposes as pupil's data is used in the allocation of teaching posts and funding to schools.

The purpose of the Department's retention policy also serves to trace retention trends in the education system, is important for longitudinal research and policy formation, as well as being an important statistical indicator nationally and internationally. Again aggregate and not individual data is used for the most of these purposes.

Individual student records are also retained to meet individual requests from former students who may require them for employment or other purposes.

In respect of Category 3 data, i.e. data on students which is only accessible to schools, this data is removed from the POD system where a student's record had been inactive for two school years, i.e. there have been no further enrolments for that student in the primary sector for the previous or current school years.

8- Give a copy of his/her personal data to an individual on request

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A copy of a pupil's individual data held on POD and /or the school's management system can be obtained by his/her guardian or the pupil, in line with the school's Data Protection Policy, by contacting the school in which the student is currently enrolled. Pupils, through their parent\guardians, also have the right under Data Protection legislation to request a copy of their details currently held on file within the Department of Education and Skills. This request should be made in writing to Statistics Section, Department of Education and Skills, Marlborough Street, Dublin 1. The Department will require proof of identity to be furnished before releasing any information in relation to an individual pupil.

Jointly Meeting the Data Protection Requirements for the Annual Census of Primary Schools

Each year the Department will require school authorities to sign a declaration that they have fulfilled their data protection obligations in relation to the collection and sharing of their pupil data via POD. The Department will make available on its website the relevant data protection information for parents in relation to its use and purpose of the data recorded by schools on POD.

Appendix A Listing of Personal Data to be stored on the Primary Online

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Database (POD) / School Administration System.

Category 1 Data - Personal Data Transferred to Department of Public Expenditure and Reform PPSN Validation Service\ Department of Social Protection for Pupil PPSN Validation Purposes

Data Collected on each Student	Purpose
Personal Public Service Number	Unique identifier for each student.
Student Name/ Student Home Address	Used to validate PPSN and also to identify students who have Irish Exemptions. Also used to contact students if consent is needed to include them in educational surveys etc.
Student Birth Cert name	Use to validate PPSN where current name differs from name used when PPSN assigned
Date of Birth	There are minimum age threshold for students following different programmes.
Gender	Statistical analysis and to assist with individual student identity.

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Mother's maiden name	PPSN validation. This is removed from the Department's records when confirmation of valid PPSN is received.
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Category 1 Data - Other Personal Data stored on POD / School Administration System necessary to assist with the Department's Policy, Statistical, Research and Planning Functions.

Data Collected on each Student	Purpose
Pupil Standard	Used for statistical analysis and to ensure progression within the educational system
Pupil Class	Used to calculate average class sizes in each school in order to monitor class sizes nationally
Pupil Nationality	Used for Statistical and policy/ planning purposes
Enrolment date and Source	Necessary to ensure pupil is validly enrolled for allocation purposes and to monitor progress of pupils through the education system

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Leaving Indicator, Date and Destination	Necessary to ensure pupil is validly enrolled, and to ensure pupil is in continuing education as required by the Education Welfare Act.
Standardised test scores in English, Irish and Maths	For the purposes of monitoring proficiency levels by the qualifications, curriculum and assessment policy area of the Department.
Pupil Retained Indicator	Used to monitor repeat levels nationally
Pupil Integrated Indicator	Used to monitor pupils with special education needs that are integrated into mainstream classes, and to monitor class sizes including integrated pupils.
Indicator for receipt of Learning Support under the General Allocation Model and through the NCSE (4 categories)	Used to liaise with the NCSE and monitor the progress of pupils with special education needs and underpin future resource allocations in this area.
Pupil Deceased Indicator	Flag to indicate to POD if a pupil is deceased, and to ensure that correspondence is not sent inadvertently

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DPIN (Department Pupil Identifier)	Internal Department Identifying number used to track pupils through the education system.
Pupils taking Junior and Leaving Certificate subjects, or subjects leading to a QQI further education accreditation	For pupils in special schools only that may be taking subjects and Junior and Leaving Certificate levels, or subjects which lead to a QQI further education award.
Pupil Special Class Type	For pupils in special classes and schools only. Used to monitor resource allocation and the level of take up of different resource types
Pupil Primary Special Need type	For pupils in special classes and schools only.
Indicator of pupil SEN assessment	Indicates whether an assessment is available for a child availing of SEN resources
Mother tongue	Indication of the primary language the pupil speaks in their home environment
Year of Arrival in Ireland	Statistical and policy planning purposes

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Category 2 Data – Sensitive personal data used by the Department to allocate resources to the school for certain categories of students and in aggregate form for statistical and policy reports

Ethnicity/Cultural background	Outcome focused planning of policy and supports for minority groups Monitoring and evaluation of policy/supports Data on travellers required for payment of enhanced capitation Data on Roma required for reporting on a number of EU, UN human rights, etc. Conventions to which Ireland is a contracting party e.g. current exercise on EU Framework for national Roma Integration Strategies up to 2020
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Pupil Religion	For general statistical purposes.
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Category 3 Data –Pupil level data accessed solely by schools for use in school administration. This Data is only accessible at school level.

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<p>Family Details Student Phone No Student Mobile Student Email Number of children in family Position of child in family Psychological Assessment Available Y/N Correspondence to Guardian Y/N Guardian Name and Address Details of Guardianship, Custody and/or Access Arrangements Years Irish Resident</p>	<p>Communication / correspondence with home.</p> <p>Facilitate individual pupil curriculum planning</p>
<p>Medical Details Require Glasses Ind Y/N Hearing Difficulties Ind Y/N Illness Procedure Health Concerns Any other relevant medical information Doctor Name Practice Name Practice Phone No</p>	

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<p>Screening Test such as MIST and NRIT</p> <p>Diagnostic Tests Reports</p> <p>Individual Education Plans</p> <p>Learning Support/Resource</p> <p>Data such as records of permission/refusal to access LS/RT services in the school,</p> <p>Details of behavioural incidents / bullying reports / or accidents.</p> <p>Correspondence with home re school issues.</p> <p>Correspondence with outside educational / health agencies such as NEPS, HSE, NESE</p>	<p>For the purposes of monitoring progress and facilitating individual pupil curriculum planning.</p>
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Appendix B

Suggested Consent Form for Sensitive Personal Data to be stored on the Primary Online Database (POD) and shared with the Department of Education and Skills

There are three categories of pupil data which will be shared by schools with the Department of Education and Skills. Category 1 information covers data that is required to validate the pupil's identity. This information will be transferred to the PPSN validation service of the Department of Expenditure and Reform or the Department of Social Protection for validation purposes only. Category 1 information also covers pupil level data which is necessary for policy and planning purposes within the Department of Education and Skills. A full listing of the variables collected, along with the purpose for each piece of information, can be found in Appendix A of the Fair Processing Notice for the Primary Online Database, available at www.education.ie

Category 2 covers sensitive personal data which the Department asks primary schools to furnish, and which requires your written consent for your child's school to record this information and for the school to forward this information to the Department for purposes as outlined in circular 001/2014 a copy which is available at www.education.ie or on request from your child's school. Your consent is also required for this information to be forwarded to any other primary school your child may transfer to during their time in primary school.

Category 3 data is information which is required at school level only and will not be accessible to the Department of Education and Skills. This data will be kept on your child's POD record for the duration of their primary schooling and for two years afterwards.

Please note that the reference to "you" in this consent form means

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a parent or a guardian of a pupil, or a pupil aged 18 years and over who is attending a recognised primary school.

Please enter the following details in BLOCK CAPITALS

Name of School:

Name of Parent/Guardian:

Name of Student:

1. What is your child's religion?

2. To which ethnic or cultural background group does your child belong (please tick one)?

White Irish

Irish Traveller

Roma

Any other White Background

Black African

Any other Black Background

Chinese

Any other Asian background

Other, including mixed race backgrounds

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I consent for this information to be stored on the Primary Online Database (POD) and transferred to the Department of Education and Skills and any other primary schools my child may transfer to during the course of their time in primary school.

Signed: _____ Parent/Guardian/

Student

Date: _____

Please complete this form and return to your primary school.

This form will be retained by the primary school and will be made available for inspection by authorised officers of the Department or from the Office of the Data Protection Commissioner.