

# Holy Family Secondary School



## Data Protection Policy

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Holy Family Secondary School staff, the Parents' Association, the Pupil Representative Council, the Board of Management, amongst others, were consulted during the formation of the policy.

This policy operates within the broader framework of the School Plan and other policies associated therein.

**Ratified by Board of Management on: 21<sup>st</sup> April 2015**

**Proposed Next Policy Review date: Academic 2017/18**

\_\_\_\_\_  
Chairperson, Board of Management  
Mr Feargal Whyte

\_\_\_\_\_  
Secretary, Board of Management  
Mrs Angela Ryan

\_\_\_\_\_  
Representative of the Diocese  
Fr. Joe Mc Dermott

## 1. Link to Mission Statement

This Policy has been developed in line with our Mission Statement which states;

*‘We promote the Christian virtues of faith, hope, love, gentleness, respect and tolerance, and we emphasise togetherness and family. Guided by these Christian virtues, and dedicated to the pursuit of excellence, it is our mission to provide a safe, caring, inclusive learning environment in which to foster the spiritual, intellectual, academic, aesthetic, physical, emotional and social development of each pupil so that she may fulfil her own unique potential and may leave our school with the capacity and the willingness to contribute to the building of a society characterised by these Christian virtues’*

Holy Family Secondary School takes its responsibilities under data protection law very seriously and wishes to put in place safe practices to safeguard individual’s personal data.

## 2. Rationale

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. It is also recognised that recording factual information accurately and storing it safely facilitates an evaluation of the information, enabling the principal and 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.

The policy applies to all school staff, the board of management, parents/guardians, pupils and others (including prospective or potential pupils and their parents/guardians and applicants for staff positions within the school) insofar as the measures under the policy relate to them. Data will be stored securely, 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.

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

This policy explains what sort of data is collected, why it is collected, for how long it will be stored and with whom it will be shared. As more and more data 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.

- ‘**School**’ means Holy Family Secondary School, Newbridge, Co. Kildare
- ‘**Parent/Guardian**’ means those having parental responsibility for a child

## 3. Scope and Data Protection Principles

The Data Protection Acts 1988 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, pupils and their parents/guardians how their data will be treated.

The policy applies to all school staff, the board of management, parents/guardians, pupils and others (including prospective or potential pupils and their parents/guardians, and applicants 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.

The school is a *data controller* of *personal data* relating to its past, present and future staff, pupils, 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 pupils 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 on other individuals (members of staff, individuals applying for positions within the School, parents/guardians of pupils 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 their 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.
- **Process it 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 will be placed in a separate file which can easily be removed if access to general records is granted to anyone not entitled to see the confidential data.
- **Keep *Personal Data* accurate, complete and up-to-date:** Pupils, 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 make all necessary changes to the relevant records. The principal may delegate such updates/amendments to another member of staff. However, records must not be altered or destroyed without proper authorisation. If alteration/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 pupil. In the case of members of staff, the school will comply with both DES guidelines and the requirements of the Revenue Commissioners with regard to the 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 any 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.

#### 4. **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 forms part of a relevant filing system.

**Relevant filing system** means any set of information that, while not computerised, is structured by reference 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. 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 or 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, Holy Family Secondary School.

Implementation of this policy takes into account the Holy Family Secondary 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 pupil, or a pupil who has reached the age of 18 years, must be given access to records kept by the school relating to the progress of the pupil in their education
- Under Section 20 of the Education (Welfare) Act, 2000, the school must maintain a register of all pupils attending the School
- Under section 20(5) of the Education (Welfare) Act, 2000, a 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 pupil is transferring
- Under Section 21 of the Education (Welfare) Act, 2000, the school must record the attendance or non-attendance of pupils 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, TUSLA, the National Council for Special Education, other schools, other centres of education) provided the School is satisfied that it will be used for a “relevant purpose” (which includes recording a person’s educational 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 in education and the general effectiveness of education or training)
- Under Section 14 of the Education for Persons with Special Educational 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 right 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 has served a notice on it of medical inspection, e.g. a dental inspection
- Under *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).
- Therefore, this policy operates within a legislative framework and takes account of the following;
  - The Education Act ,1998
  - The Education Welfare Act , 2000
  - Equal Status Act, 2000
  - The Equality Act, 2004
  - The Health Act, 1947
  - The Freedom of Information Act, 1997
  - The Data Protection Acts, 1998 and 2003

## **Data: Responsibilities and Standard Operating Procedures**

In Holy Family Secondary 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 that 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:

<b>Name</b>	<b>Responsibility</b>
Board of management:	Data Controller
Principal:	Implementation of Policy
Teaching personnel:	Awareness of responsibilities
Administrative personnel:	Security, confidentiality
IT personnel:	Security, encryption, confidentiality

The *Personal Data* records held by Holy Family Secondary 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 their school duties
- Records of any reports the school (or its employees) have made in respect of the staff member 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:** Staff records are kept for the purposes of:

- the management and administration of school business (now and in the future)
- to facilitate the payment of 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 its obligations as an employer including the preservation of a safe, efficient working and teaching environment (including complying with its responsibilities under 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, and any other governmental, statutory and/or regulatory departments and/or agencies
- And for compliance with legislation relevant to the school.

(c) **Location and Security:** 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.

## **B. Pupil records:**

(a) **Categories of pupil data:** These may include:

- Information which may be sought and recorded at enrolment and may be collated and compiled during the course of the pupil'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 regard to guardianship, custody or access)
  - religion
  - racial or ethnic origin
  - membership of the Traveller community, where relevant
  - whether they (or their parents) are medical card holders
  - whether English is the pupil's first language and/or whether the pupil requires English language support
  - any relevant special conditions (e.g. special educational needs, health issues etc.) which may apply
- Information on previous academic record (including reports, references, assessments and other records from any previous school(s) attended by the pupil
- Psychological, psychiatric and/or medical assessments
- Attendance records
- Photographs and recorded images of pupils (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 pupil is repeating the Leaving Certificate
- Whether the pupil is exempt from studying Irish
- Records of disciplinary issues/investigations and/or sanctions imposed
- Garda vetting outcome record (where the pupil is engaged in work experience organised with or through the school which requires that they be Garda vetted)
- Other records e.g. records of any serious injuries/accidents etc.
- Records of any reports the school (or its employees) have made in respect of the pupil 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 pupil records are:

- to enable each pupil to develop to their full potential
- to comply with legislative or administrative requirements
- to ensure that eligible pupils can benefit from the relevant additional teaching or financial supports
- to support the provision of religious instruction
- to enable parents/guardians to be contacted in the 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 pupil

- photographs and recorded images of pupils are taken to celebrate school achievements, compile yearbooks, establish a school website, record school events, and to keep a record of the history of the school. **Such records are taken and used in accordance with Holy Family Secondary School's policy *Managing Images of Pupils***
  - to ensure that pupils meet the minimum age requirements for their course,
  - to ensure that any pupil seeking an exemption from Irish meets the criteria in order to obtain such an exemption from the authorities
  - **to furnish documentation/ information about the pupil to the Department of Education and Skills, the National Council for Special Education, TUSLA, Garda Síochána, other agencies and other Schools etc., in compliance with law and directions issued by government departments**
  - to furnish, when requested by the pupil (or their parents/guardians in the case of a pupil 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 the pupil be Garda vetted) the School will assist the pupil in obtaining their Garda vetting outcome (with the consent of the pupil and their parent/guardian) in order to furnish a copy of same (with the consent of the pupil and the pupil's parent/guardian) to the work experience employer.
- (c) **Location and Security:** 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.

### **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 this 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 to maintain a record of board appointments and decisions.
- (c) **Location and Security:** 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.

### **CCTV images/recordings**

- (a) **Categories:** CCTV is installed in some schools, externally i.e. perimeter walls/fencing and internally as detailed in the **Holy Family Secondary School CCTV Policy**. These CCTV systems may record images of staff, pupils and members of the public who visit the premises.
- (b) **Purposes:** Safety and security of staff, pupils 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 reception office of school.



- (d) **Security:** Access to images/recordings is restricted. 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 Data Protection Acts 1988 and 2003.

### **Examination results**

- (a) **Categories:** The school will hold data comprising examination results in respect of its pupils. These include class, mid-term, annual, continuous assessment and mock- examinations results.
- (b) **Purposes:** The main purpose for which these examination results and other records are held is to monitor a pupil'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.

**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. Records are also kept on e-portal. Staffs has usernames and passwords to access limited pupil records.

### **October Returns**

- (a) **Categories:** At the beginning of each academic year (and for 1st year or transferring pupils, on enrolment) parents/guardians and pupils 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 pupils on the basis of explicit and informed consent. The October Return contains individualised data (such as an individual pupil's PPS number) which acts as an "identifier" for the DES to validate the data that belongs to a recognised pupil. 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 also 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](http://www.education.ie)). The DES has also published a "Fair Processing Notice" to explain how the personal data of pupils and contained in October Returns is processed. This can also be found on [www.education.ie](http://www.education.ie) (search for Circular Letter 0047/2010 in the "Circulars" section).
- (b) **Purposes:** The school asks parents/guardians and pupils to complete October Returns for the purposes of complying with DES requirements to determine staffing and resource allocations and to facilitate the orderly running of the school. The main purpose of the October Returns is for the DES to determine whether the pupil qualifies for English language support and/or additional resources and support to meet 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 to them by all post-primary schools. The co-operation of each pupil and/or their parents/guardians in completing the October Return is greatly appreciated as the school's aim is to ensure that each pupil is assisted in every way to ensure that s/he meets his/her full potential.

## Links to HFSS framework of policies and to curriculum delivery

Holy Family Secondary 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.

The following policies and programmes may be among those considered:

- Child Protection Policy
- Anti-Bullying Policy
- Code of Behaviour
- Admissions/Enrolment Policy
- CCTV Policy
- Substance Abuse Policy
- ICT and Acceptable Usage Policy
- SPHE/RSE and CSPE Programmes

### 7. Processing and dealing with data access requests

Data in this school will be processed in line with the data subjects' 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 anyone else.

Application for access to this information can be made by writing to the Principal (see relevant forms in appendix 1) and by making a section 3 or a section 4 request (Data Protection Act)

#### ➤ What is a Data Request: SECTION 3?

**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 purposes for which their data is being kept.**

Therefore, Section 3 requires that HFSS confirm all data held by the school to the applicant. Data such as; school application documents, school reports, behaviour records, State Exam Commission exam results, pupil transfer documents, attendance records etc.

**The individual must make this request in writing and the data controller will accede to the request within 21 days upon receiving a request. There is NO FEE for section 3 request.**

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.

➤ **What is a Data Request: SECTION 4?**

**Individuals are entitled to a copy of their personal data on written request** (subject to some exemptions and prohibitions set down in Section 5 of the Data Protection Act)

Therefore, Section 4 requires that HFSS GIVE A COPY of data held by the school to the applicant (some exemptions apply by law). Data such as; school application documents, school reports, behaviour records, State Exam Commission exam results, pupil transfer documents, attendance records etc.

**The individual must make this request in writing and the data controller will accede to the request within 40 days. There is a maximum fee of €6.35 such a request. Current HFSS pupils and staff are exempt from this fee**

NOTE: Where a subsequent or similar request is made soon after a 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.

NOTE: **No personal data can be supplied relating to another individual unless that third party has consented to the disclosure of their data to the applicant.** 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 that 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, any 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 that 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.**

**8. HFSS Data Request Forms (APPENDIX 1-5)**

To facilitate effective communication processes and **most importantly to protect data rights**, the following forms will be used; (*see appendix for forms*)

**1. DATA REQUEST FORM SECTION 3**

**2. HFSS DATA SECTION 3 RESPONSE FORM**

Section 3 requires that HFSS confirm all data held by the school to the applicant.

**3. DATA REQUEST FORM SECTION 4**

**4. HFSS DATA SECTION 4 RESPONSE FORM**

Section 4 requires that HFSS provide a copy of the data that it holds as requested to the applicant.

**5. DATA REQUEST FORM FROM OUTSIDE AGENCIES (TUSLA, An Garda Síochána)**

## **9. Communication**

When the Data Protection Policy has been ratified by the Board of Management, it becomes the school's agreed Data Protection Policy. It should then be dated and circulated within the school community. The entire staff must be familiar with the Data Protection Policy and ready to put it into practice in accordance with the specified implementation arrangements. It is important that all concerned are made aware of any changes implied in recording information on pupils, staff and others in the school community.

Parents/guardians and pupils will be informed of the Data Protection Policy from the time of enrolment of the pupil e.g. by including the Data Protection Policy as part of the Enrolment Pack, by either enclosing it or incorporating it as an appendix to the enrolment form. This policy will also be published on our school website [www.holyfamily.ie](http://www.holyfamily.ie)

## **10. Teachers' Notes**

Please read our HFSS Data Protection Policy in its entirety on [www.holyfamily.ie](http://www.holyfamily.ie)

- **What is data protection – what does it apply to, and when is it relevant?**

Data protection is about protecting an individual's right to privacy. The right to privacy has long been recognised as a fundamental Constitutional right under Irish law. Data protection law legitimises the processing of data by providing a framework for organisations to process data in a fair way. It provides a legitimate, legal basis for collecting, using and storing personal data.

- **What 'data' do the Acts apply to?**

“**Personal Data**” is that which relates to a living individual, and is defined as including “**Automated data**” (e.g. information on computer or information recorded with the intention that it is processed by computer, e.g. On e-portal), “**Manual data**” (information that is kept/recorded as part of a relevant filing system) and “**Sensitive Personal Data**” (data relating to a person's racial or ethnic origin, political opinions or religious or other beliefs, physical or mental health or condition, sexual life, criminal convictions or the alleged commission of an offence, trade union membership/or non-membership)

- **When is it relevant?**

Schools hold large amounts of personal data and the law of data protection applies to schools. Data protection applies whenever the school collects, handles, processes, transfers or does anything with an individual's data.

**REMEMBER: Be mindful to keep data about all pupils and staff SAFE, SECURE and PRIVATE; e.g.in your teacher's roll-book, on e-portal, paper-communication, in e-communication and social media etc.**

[www.dataprotectionschools.ie](http://www.dataprotectionschools.ie) for further information

## **11. References**

- **Department of Education and Skills**

<http://www.education.ie/en/Schools-Colleges/Information/Post-Primary-School-Policies/Policies/Data-Protection.html>

- **Data Protection Commissioner** [www.dataprotection.ie](http://www.dataprotection.ie)
- **Data Protection Schools (Ireland)** <http://www.dataprotectionschools.ie/en/>
- **Department of Education and Skills** Circular Letter 0047/2010

• Appendix 1: DATA REQUEST FORM SECTION 3

Holy Family Secondary School



**DATA ACCESS REQUEST FORM: SECTION 3**

Request for confirmation of Personal Data under the Data Protection Act 1988 and Data Protection Act, 2003

Date received: \_\_\_\_\_ 21 days

**Important:** Proof of Identity must accompany this Access Request Form (e.g. official/State photo identity document such as driver's licence, passport).

Date:	
Full Name:	
Maiden Name (if name used during your school duration)	
Address	
Contact number *	Email addresses *

\* We may need to contact you to discuss your access request

Please tick the box which applies to you:

Pupil <input type="checkbox"/>	Parent/Guardian of pupil <input type="checkbox"/>	Former Pupil <input type="checkbox"/>	Current Staff <input type="checkbox"/>	Former Staff <input type="checkbox"/>
Age: Year group/class:	Name of Pupil:	Insert Year of leaving:		Insert Years From/To:

**Section 3 Data Access Request:**

I, .....[PRINT name] wish to be informed whether or not Holy Family Secondary School holds personal data about me/my child and to be provided with a description of this data and to be informed of the purpose for holding such data. I am making this access request under **Section 3 of the Data Protection Acts.**

Signed .....

Date .....

Please return this form to; The <b>Principal</b> <b>Holy Family Secondary School, Newbridge, Co. Kildare</b>
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**Holy Family Secondary School**



**DATA RECORDS SUPPLIED TO APPLICANT SECTION 3**

Records of Personal Data as under the Data Protection Act 1988 and Data Protection Act, 2003

**DATA RECIPIENT**

Date:	
Full Name:	
Maiden Name ( <i>if name used during your school duration</i> )	
Address	
Contact number *	Email addresses *

**Data records are held in relation to the above-named applicant in respect of;**

- School application documents**
- School reports**
- Behaviour records**
- State Exam Commission Exam Results**
- Pupil Transfer documents**
- Attendance records**
- Other (please detail below)**

Signed .....

Date .....

Appendix 3: HFSS DATA REQUEST FORM SECTION 4

Holy Family Secondary School



**DATA ACCESS REQUEST FORM SECTION 4**

Request for a copy of Personal Data under the Data Protection Act 1988 and Data Protection Act, 2003

Date received: \_\_\_\_\_

**Important:** A fee of €6.35 must accompany this Access Request Form if it is a Section 4 Data Access Request together with proof of identity (e.g. official/State photographic identity document such as driver's licence, passport).

Date:	
Full Name:	
Maiden Name (if name used during your school duration)	
Address	
Contact number *	Email addresses *

\* We may need to contact you to discuss your access request

**Please tick the box which applies to you:**

Pupil (over 18) <input type="checkbox"/>	Parent/Guardian of pupil <input type="checkbox"/>	Former Pupil <input type="checkbox"/>	Current Staff <input type="checkbox"/>	Former Staff <input type="checkbox"/>
Age: Year group/class:	Name of Pupil:	Insert Year of leaving:		Insert Years From/To:

**Please note: there is no administration fee of €6.35 for current HFSS pupils or staff.**

**Section 4 Data Access Request:**

I, ..... [PRINT name] wish to make an access request for a copy of any personal data that Holy Family Secondary School holds about me/my child. I am making this access request under **Section 4** of the Data Protection Acts.

Any other information relevant to your access request (e.g. if requesting images/recordings made by CCTV, please state the date, time and location of the images/recordings (otherwise it may be very difficult or impossible for the school to locate the data).

Signed ..... Date .....

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**Checklist: Have you:**

- 1) Completed the Access Request Form in full?
- 2) Included a cheque or postal order made payable to **Holy Family Secondary School** in the amount of €6.35 where a Section 4 request is made? (NOT APPLICABLE TO CURRENT PUPILS OR STAFF)
- 3) Signed and dated the Access Request Form?
- 4) Included a photocopy of official/State photographic identity document (driver's licence, passport etc.)\*.

**\*Note to school:** Holy Family Secondary School should satisfy itself as to the identity of the individual and make a note in the school records that identity has been provided, but the school should not retain a copy of the identity document.

Please return this form to; The **Principal**  
**Holy Family Secondary School, Newbridge, Co. Kildare**



Appendix 4: **HFSS DATA SECTION 4 RESPONSE FORM**

**Holy Family Secondary School**



**DATA RECORDS SUPPLIED TO APPLICANT SECTION 4**

Records of Personal Data as under the Data Protection Act 1988 and Data Protection Act, 2003

**DATA RECIPIENT**

Date:	
Full Name:	
Maiden Name ( <i>if name used during your school duration</i> )	
Address	
Contact number *	Email addresses *

**Please tick the box which applies to data records supplied;**

- Checklist:**
- Section 4 Data Access Request only:      €6.35 received**
  - School application documents
  - School reports
  - Behaviour records
  - State Exam Commission Exam Results
  - Pupil Transfer documents
  - Attendance records
  - Other (please state) \_\_\_\_\_

Signed (SCHOOL STAFF) ..... Date .....

Signed (RECIPIENT) ..... Date .....

Holy Family Secondary School



**\*STRICTLY CONFIDENTIAL**

**DATA RECORDS SUPPLIED TO OUTSIDE AGENCIES**

Records of Personal Data as under the Data Protection Act 1988 and Data Protection Act, 2003

Date: \_\_\_\_\_

**DATA REQUESTED BY;**

Outside Agency: (e.g. TUSLA, A Garda Siochana etc.)	
Full Name and position within organisation:	
Agency Address:	
Reason for request:	
Contact number *	Email addresses *

**Data request in respect of;**

Name:	
Parent(s)/Guardian(s) Name:	
Address:	
Contact number *	Email addresses *

Signed ..... Date .....

Appendix 6: Policy Review Timeline

**HFSS SCHOOL POLICY:  
YEAR OF REVIEW:**

**Data Protection Policy  
Academic 2014-15**

<b>PROCESS STAGE</b>	<b>DATE</b>	<b>NOTES</b>
<b>Identification Primary Planning Meeting</b>	September 2014	Review of existing HFSS provisions
<b>Scoping document (DRAFT 1)</b>	October 2014	JMB Data Protection Policy Training Seminar 30.09.14 SMT meeting Oct
<b>Discussion document finalised (DRAFT 2)</b>	December 2014	
<b>Circulation of discussion document to staff (DRAFT 2)</b>	January 2015	SMT meeting Meeting with Secretarial and Administrative staff
<b>Consultation with SCR, Parents' Association (DRAFT 3)</b>	February 2015	Ref to IT and focus group
<b>Review by Planning Team (DRAFT 4)</b>	April 2015	
<b>Consultation with Board of Management (FINAL DRAFT)</b>	April 2015	
<b>Ratification date (BOM)</b>	21/4/2015	
<b>Implementation date</b>	21/4/2015	