



**BALLYOWEN MEADOWS SPECIAL SCHOOL**  
**DATA PROTECTION POLICY AND PROCEDURES**

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## INTRODUCTION

The Ballyowen Meadows Special School (BMSS) Data Protection Policy applies to the **personal data** held by the school's Board of Management (BOM), which is protected by the Data Protection Acts 1988 to 2018 and the EU General Data Personal Regulation (GDPR).

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 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 special categories of personal data will be protected by the school.

BMSS collects and uses personal data about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable it to provide education and other associated functions. In addition, there are other legal requirements to collect and use information to ensure that the school complies with its statutory obligations.

BMSS operates a "**Privacy by Design**" method in relation to Data Protection. This means we plan carefully when gathering personal data so that we build in the **data protection principles** as integral elements of all data operations in advance.

We audit the personal data we hold in order to ensure that we can respond in the following ways:

- (1) be able to provide access to individuals to their data;
- (2) ensure it is held securely;
- (3) document our data protection procedures;
- (4) enhance accountability and transparency.

## 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 to 2018, the General Data Protection Regulations 2018 (GDPR) and other related legislation.

BMSS is committed to the protection of all personal and sensitive data for which it holds responsibility as the Data Controller and the handling of such data in line with the data protection principles and the Data Protection Act (DPA).

Changes to data protection legislation shall be monitored and implemented in order to remain compliant with all requirements.

## 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:

**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.

**Section 20 of the Education (Welfare) Act 2000:** the school must maintain a register of all students attending BMSS.

**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. BMSS sends, by post, a copy of a child's Passport, as provided by the National Council for Curriculum Assessment, to the Principal of the Post-Primary School in which the pupil has been enrolled.

Where reports which have been carried out by professional, apart from BMSS staff, are on current pupil files; such reports are only passed to the Post-Primary school following written permission having been sought and received from the parent of the child.

**Section 21 of the Education (Welfare) Act, 2000:** BMSS must record the attendance or non-attendance of pupils registered at the school on each school day.

**Section 28 of the Education (Welfare) Act 2000:** the school may supply Personal Data kept by it to certain prescribed bodies (Department of Education and Skills, Tusla, National Council of Special Education and other schools). The BOM must be satisfied that any Personal Data supplied will be used for a 'relevant purpose', which includes recording a person's educational or training history or monitoring their education or training progress; or for carrying out research into examinations, participation in education and the general effectiveness of education or training.

**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 could 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 Information Act (such as the Department of Education and Skills, etc.) these records could be disclosed by that body if a request is made.

**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 a medical inspection, e.g. a dental inspection).

**Children First Act 2015:** mandated persons in schools have responsibilities to report child welfare concerns to Tusla, the Child and Family Agency, or in the event of an emergency and the unavailability of Tusla, to An Garda Síochána.

## **SCOPE**

The Data Protection Acts 1988 to 2018 and GDPR apply to the keeping and processing of Personal Data. 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.

This policy applies to all school staff, the BOM, parents/guardians, pupils and prospective pupils, their parents/guardians and applicants for employment 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;

**Personal Data** means any data relating to an identified or identifiable natural person, i.e. 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 BOM;

**Data Controller** is the Board of Management of the school;

**Data Subject** is an individual who is the subject of personal data;

**Data Processing** refers to performing any operation or set of operations on data, including:

- Obtaining, recording or keeping the data;
- Collecting, organising, storing, altering or adapting the data;
- Disclosing the data by transmitting, disseminating or otherwise making it available;
- Aligning, combining, blocking, erasing or destroying the data;

**Data Processor** refers to a person who processes personal information on behalf of a data controller, but does not include an employee of a data controller who processes such data in the course of their employment, for example, this might mean an employee of an organisation to which the data controller out-sources work. The Data Protection legislation places responsibilities on such entities in relation to their processing of the data.

External Data Processors who provide services to BMSS involving the processing of personal data are as follows:

- Aladdin School Administration Software Package
- School Accounting Ltd.
- Microsoft 365 Cloud Hosting
- Smartschools.ie
- Kelcon Accounting
- Glanmore Foods
- Jamjo

Organisations we share data with:

- National Council for Special Education
- Health Service Executive
- DES: POD (Pupil On-Line Database)
- Bus Eireann
- Tusla, Child & Family Agency
- Paramedics Emergency Services

This is not an exhaustive list.

**Special Categories of Personal Data** refers to Personal Data regarding a person's

- Racial or ethnic origin
- Political opinions or religious or philosophical beliefs
- Physical or mental health
- Sexual life and sexual orientation

- Genetic and biometric data
- Criminal convictions or the alleged commission of an offence
- Trade union membership

**Personal Data Breach** refers to a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed. This means any compromise or loss of personal data, no matter how or where it occurs.

## **DATA PROTECTION PRINCIPLES**

The BMSS BOM is the Data Controller of personal data relating to its past, present and future staff, pupils/guardians and other members of the school community. As such, the BOM is obliged to comply with the eight Principles of Data Protection set out in the Data Protection Acts 1998 to 2018 and GDPR.

To be compliant with this legislation, BMSS must follow these principles when handling personal data. Therefore, BMSS must ensure the following:

### ***(1) Personal data must be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met:***

- The personal information of pupils is gathered by the school 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 employment within BMSS, parents/guardians 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 legislation and the terms of this Data Protection Policy. This information will be obtained and processed fairly.

### ***(2) Consent:***

- Where consent is the basis for provision of personal data, (e.g. data required to join an optional school activity) the consent must be a freely given, specific, informed and unambiguous indication of the data subject's wishes.
- BMSS will require a clear, affirmative action e.g. ticking of a box/ signing a document to indicate consent. Consent can be withdrawn in these situations.

### ***(3) Retain Personal Data for only for one or more specified and explicit lawful purposes:***

- The B.O.M. will inform individuals of the reasons they collect their data and 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.

### ***(4) Process Personal Data 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.

***(5) Personal Data will be kept safe and secure:***

- Only those with a genuine reason for doing so may gain access to the information.
- Personal Data is securely stored under lock and key in the case of manual records.
- No hard copies of personal data are permitted to be removed from the school premises.
- All computer devices are protected with computer software and password protection in the case of electronically stored data.
- All portable devices storing personal data (such as laptops and mobile phones) should be encrypted and password-protected.
- The use of USB keys and CD-ROMs are prohibited as methods of storage for all documentation in relation to the work of the school.
- Off-site access to cloud computing is only permitted by using school laptops.
- All USB ports and CD drives are disabled in school laptops.
- Only school cameras and school iPads are permitted for use in taking school photographs.
- All iPads must remain on school premises and are stored securely with the exception of the iPad that is used for school related off campus activities.
- Refer to later section on '*Data Security and Safeguarding of Personal Information*'.

***(6) Personal Data must be kept 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 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.
- 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.

***(7) Ensure that the request and retention of personal data is adequate, relevant and not excessive:***

- Only the necessary amount of information required to provide an adequate service will be gathered and stored.

***(8) Retain personal data 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 relating to a student.
- 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. See Appendix 3 – School Record Retention table.

***(9) Provide a copy of their personal data to any individual on request:***

- Individuals have a right to know and have access to personal data held about them, by whom, and the purpose for which it is held.

## **OUR SCHOOL COMMITMENT**

BMSS is committed to maintaining the above principles at all times. Therefore, the school will:

- Inform individuals why their personal information is being collected at the time of collection;
- Inform individuals when their information is shared, and why and with whom it was shared;
- Check the quality and the accuracy of the information it holds;
- Ensure that information is not retained for longer than is necessary;
- Ensure that when obsolete information is destroyed that it is done so appropriately and securely;
- Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded;
- Share information with others only when it is legally appropriate to do so;
- Set out procedures to ensure compliance with the duty to respond to request for access to personal information, known as Subject Access Requests;
- Ensure BMSS staff are aware of and understand our policies and procedures.

BMSS regards the lawful and correct treatment of personal information as very important and fully endorses and adheres to the relevant legislation.



This policy is intended to ensure that personal information is dealt with correctly and securely. It applies to all personal information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

This policy also 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. The school takes its responsibilities under 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 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.

## **RELATIONSHIP TO THE CHARACTERISTIC SPIRIT OF THE SCHOOL**

BMSS seeks to:

- Enable pupils to develop their full potential;
- Provide a safe and secure environment for learning;
- Promote respect for the diversity of values, beliefs, traditions, languages and ways of life in society.

BMSS aim to achieve these goals while respecting the privacy and data protection rights and data protection rights of pupils, staff, parents/guardians and others who interact with us. The school wishes to achieve these aims/mission while fully respecting the right of the individual to rights of privacy and rights under the Data protection legislation.

## **POLICY IMPLEMENTATION**

- All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines.
- The members of staff responsible for data protection are those who comprise the In-School Management Team, i.e. School Principal, Deputy Principal and Assistant Principal.
- The school is also committed to ensuring that its staff are aware of data protection policies, legal requirements and adequate training is provided to them.
- The requirements of this policy are mandatory for all staff employed by the school and any third party contracted to provide services to the school.
- Enquires about the BMSS Data Protection Policy may be submitted initially to the School Office or directly by email to the School Principal.
- General information about the Data Protection Act can be obtained from the Data Commissioner's Office.

## **STAFF RESPONSIBILITIES**

- Every staff member has an individual responsibility to protect the personal data of those with whom they are in contact through the course of their work.

- Staff will be made aware of their responsibilities under this policy by the School Principal through staff briefings, staff meetings and training.
- All staff with access to personal information/data must ensure that they deal with it appropriately in accordance with BMSS policies and procedures.
- Staff who have access to personal information must ensure that they process, store and/or dispose of this information in accordance with the procedures set down in this policy.
- All Personal Data must be disposed by shredding.
- It is the responsibility of individual staff members to protect personal data and to report instances of people trying to obtain information by deception or loss of data either accidentally or deliberately.
- Care must be taken when sending personal information that contains personal information. All such documents sent by post through the School Office must be stamped Strictly Private and Confidential:

**NOTE: Any disclosure that can be attributed to an employee's wilful neglect of this procedure will be considered as a breach of procedure and will be dealt with via the DES and/or contractual disciplinary procedure.**

## **REGISTERED PURPOSES**

The Data Protection Registration entries for BMSS are available for inspection, by appointment and on notification to the School Principal, through the School Office.

Explanation of any codes and categories entered is available from the School Principal. Registered purposes covering the data held at the school are listed on the school's Registration and Data Collection Document(s). Information held for these stated purposes will not be used for any other purpose without the Data Subject's consent.

## **DATA INTEGRITY**

BMSS undertakes to ensure data integrity by the following methods:

### ***(1) Data Accuracy***

- Data held will be as accurate and up to date as is reasonably possible.
- If a data subject informs BMSS of a change in circumstances record will be updated as soon as is practicable.
- Updated Personal data will be requested at the start of each school year for the purpose of maintaining up dated record-keeping.

### ***(2) Data Accuracy and Relevance***

Personal data held by BMSS will be adequate, relevant and not excessive in relation to the purpose for which the data is held.

In order to ensure compliance with this principle, BMSS will check records annually at the end of each school year for missing, irrelevant or excessive information. The Data Controller will organise this process and oversee the checking of records for such data and may contact data subjects to verify certain items of data.

### ***(3) Data Disposal***

BMSS recognises that the secure disposal of redundant personal data is an integral element to compliance with legal requirements. All data held in any form of media, i.e. paper or electronic, shall only be passed to a disposal partner with demonstrable competence in providing secure disposal services.

In the instance that irrelevant and excessive data is identified, then the Data Controller will organise its disposal.

### ***(4) Retention of Personal Data***

Personal data held by BMSS will not be kept longer than necessary for the purposes registered. It is the duty of the Data Controller to ensure that obsolete data is disposed of appropriately and in accordance with the procedures contained in this policy. Refer to Appendix 3 BMSS Data Retention Schedule.

## **FAIR PROCESSING/PRIVACY NOTICE**

BMSS shall be transparent about the intended processing of data and communicate these intentions via notification to staff and parents prior to the processing of an individual's personal data.

The intention to share data relating to individuals with an external organisation shall be clearly defined within notifications and details of the basis for sharing given.

Data will be shared with external parties in circumstances where it is a legal requirement to provide such information.

Any proposed change to the processing of an individual's personal data shall first be notified to them

The BMSS School Privacy Notice (refer to Appendix 2) will be sent to the following parties:

- Parents/guardians of prospective pupils
- Parents/guardians of enrolled pupils
- Applicants for employment
- School staff employed by BMSS.

## **DATA**

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

### **1. Staff Records:**

#### **(a) Categories of staff data**

As well as data relevant to existing members of staff (and former members of staff), these records may also relate to applicants applying for positions within the school, and trainee teachers on practice placement from teacher education institutions.

These staff records may include:

- Name, address and contact details, PPS number, next of kin
- 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, professional development, 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
- facilitating 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)
- facilitating pension payments in the future
- human resources management
- recording promotions made (documentation relating to promotions applied for) and changes in responsibilities etc
- enabling 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)
- enabling 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
- compliance with legislation relevant to the school.

#### **(c) Security & Location**

The records of current and former staff members are kept in manual and digital format in personal files and in digital format as on On-Line Claims System (OLCS) provided by Department of Education and Skills (DES).

- Manual files are retained and locked in the Principal's Office and the Data Storage Room. The Principal and Chairperson (as Data Controller) and the school secretary only will have access to those files that will contain information solely related to professional matters.
- Digital files are retained on the school server/cloud and are protected by password known only to the Chairperson (as Data Controller) and Principal.
- Data relating to Ancillary Staff and Bus Escorts are held on behalf of the school by School Accounting Ltd. who have advised BMSS that they are fully compliant with Data Protection legislation.

- Data relating to staff contact details are stored on Aladdin School Administration Software who have advised BMSS that they are fully compliant with Data Protection legislation.

## **2. Pupil Records**

### **(a) Categories of Student Data:**

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 regard to guardianship, custody or access)
- religious belief
- racial or ethnic origin
- membership of the Traveller community, where relevant
- whether English is the student's first language
- 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 student)
- Psychological, Psychiatric, Occupational Therapy, Social Work, Speech and Language Therapy and/or medical referrals and assessments
- Attendance records
- Photographs and recorded images of students (including at school events and noting achievements)
- Academic record – assessment, Personal Pupil Plans incorporating Individual Education Plans and Care Plans and end of year Pupil reports
- Records of disciplinary issues/investigations and/or sanctions imposed
- Other records e.g. records of any serious injuries/accidents/ incidents related to behavioural issues and health and safety matters
- 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 DES Child Protection Procedures)
- Risk assessments, Behaviour management plans, daily records, medication records.

### **(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/SNA or financial supports
- to support comprehensive assessment

- 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 student
- photographs and recorded images of students 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 the school's "Guidance for Taking and Using Images of Pupils in Schools"
- to ensure that the student meets the school's admission criteria
- to furnish documentation/ information about the student to the Department of Education and Skills, the National Council for Special Education, TUSLA, and other Schools etc. in compliance with law and directions issued by government departments
- to furnish, when requested by the student (or their parents/guardians in the case of a student under 18 years) documentation/information/ references to adult services.

### **(c) Location**

Each pupil has a file, each containing sensitive personal information. The file contains the following records and is stored in a locked store-room in the Principal's Office:

- Admissions information
- Clinical reports and recommendations
- Pupil Personal Plan (PPP)
- Annual school report
- Correspondence relating to the child
- Formal communications with parents/guardians
- Behaviour recording forms- Child Protection Report Forms (Only accessible to the DLP & DDLP)
- Tusla Referral Forms
- Telephone Logs
- Risk assessments

A File containing the following records is stored in a locked filing cabinet in the Child's Classroom:

- School assessments
- Samples of Pupils Work
- Daily recording sheets

**Whole school files** for all pupils in the school are retained in a secure locked storage room in the Principal's office. This room contains files including personal data relating to the following:

- Personal Pupil Plan (PPP)
- Incident Report Forms
- Behaviour Recording Forms
- School consent Forms for School Outings (kept for the duration of the current school year and after that record is kept electronically).

Data relating to past pupils is kept within a relevant filing system and securely locked in the Data Storage Room.

### **(d) Security**

Manual records are kept in a pupils' personal files within a relevant filing system. More sensitive records are stored in a locked filing cabinet in the Principal's Office. Some personal information is also kept on a secure database that is password protected.

#### **(e) Digital Records**

Pupil attendance records and PPS numbers are maintained on the POD system in line with DES Guidelines. Access will be by permission of the Principal or (when absent) Deputy Principal, to authorised personnel only. Attendance records are also kept on the school's secure database (Aladdin) and this is password protected.

Employees are required to maintain the confidentiality of any data to which they have access.

### **3. 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 Boards 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 to maintain a record of board appointments and decisions.

#### **(c) Location**

In a secure, locked filing cabinet and accessible only to personnel who are authorised to use the data. Employees are required to maintain the confidentiality of any data to which they have access.

#### **(d) Security**

Manual records are kept in a Board of Management file within a relevant filing system. They are stored in a locked filing cabinet in the Principal's Office.

Employees are required to maintain the confidentiality of any data to which they have access.

### **4. Other records:**

Records relating to contacts with others such as patron bodies /insurance companies/ legal advice/ buildings and lands etc. will be securely maintained in the manner appropriate to its origins e.g. paper correspondence or email as appropriate

## **5. Creditors**

### **(a) Categories of Data**

BMSS 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
- 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**

These records are kept in a secure, filing system 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 as manual records (personal file within a relevant filing system) and may also be kept as a computer record (database) on the school server/cloud that is password protected.

## **6. Charity Tax-Back Forms**

### **(a) Categories of Data**

BMSS 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 the donation

### **(b) 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 parents 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.

#### **(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 as manual records (personal file within a relevant filing system) and may also be kept as a computer record (database) on the school server/cloud that is password protected.

### **7. Volunteers/Students**

#### **(a) Categories**

Volunteers, Student Teachers, Student SNAs and Transition Year Students for work experience with personal details e.g. name, address, PPSN, references, insurance details, supervisor contact details

#### **(b) Purposes**

Work Experience and volunteering within this school

#### **(c) Location**

Manual files are kept for Students for the current school year only. Manual files for volunteers are kept for the duration of the period spent volunteering in the school and for one year after completion. Data is kept 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 as manual records (personal file within a relevant filing system) and may also be kept as a computer record (database) on the school server/cloud that is password protected. All sensitive personal information will be kept on the Principal's computer only.

### **DATA SECURITY AND SAFEGUARDING OF PERSONAL INFORMATION**

BMSS recognises that the secure disposal of redundant data is an integral element to compliance with legal requirements and an area of increased risk.

In order to assure the protection of all data being processed and inform decisions on processing activities, BMSS has undertaken an assessment of the associated risks of proposed processing and equally the impact on an individual's privacy in relation to BMSS holding their personal data;

Security of data shall be achieved through the implementation of proportionate physical and technical measures. Nominated staff shall be responsible for the effectiveness of the controls implemented and reporting of their performance.

The security arrangements of external Data Processors shall also be considered and these organisations shall be requested to provide evidence of their competence in the security of shared data.

- **PAPER DOCUMENTS**

All paper documents containing person-identifiable information is to be stored in a locked cabinet or drawer with access restricted to staff members who need to process that data

Employees are required to maintain the confidentiality of any data to which they have access.

Paper documents containing person identifiable information are not permitted to be taken from BMSS to work on at home other than in VERY EXCEPTIONAL CIRCUMSTANCES (e.g. a prolonged pandemic lockdown, extreme weather conditions). In these circumstances, staff will receive training on how to keep those paper documents safe, with reference to advice of the Data Protection Commission relating to home-working and data security.

- **ELECTRONIC DATA**

Electronic data will be selected for removal at the appropriate time and deleted following approval from the Data Controller.

- **DISPOSAL OF ELECTRONIC HARDWARE**

The Data Controller must be informed for authorisation prior to the disposal of all computer equipment.

If a piece of computer equipment is to be disposed of, all personal data on the hard drive is removed before disposal. It will not be sufficient to only 'delete' the unwanted files; they must be permanently removed by overwriting it or removing the hard drive and physically destroying it;

## **ELECTRONIC SYSTEM SECURITY**

All computers used by the school will be password protected and the system administrator will regularly have all passwords changed. No password is to be displayed on a computer or monitor.

A user leaving their laptop or desktop should ensure that they lock their computer (by holding Ctrl + Alt + Del and then choosing 'lock this computer') for the duration they are absent from their desk. All computers should be set to sleep after a few minutes of being left idle.

Access to the Sharepoint folders will be managed by the system administrator who will organise that permissions at the correct level and passwords are controlled and managed appropriately. When staff leave the school's employment the system administrator will ensure that all permissions and password access to all school systems is revoked.

In addition, the following arrangements apply to the security of electronic systems used by BMSS:

- BMSS uses a server in combination with Microsoft 365 Cloud Computing to store electronic documents

- Different levels of access apply to the following positions:
  - Board of Management – BoMshare and email account
  - School Principal – Full access to all shared folders and principal email account
  - School Office – Access to Officeshare, Teachershare, Snashare, Resourceshare and office email account
  - Teachers – Access to Teachershare, Snashare and Resourceshare and school email account
  - SNAs – Access to Snashare and Resourceshare
- Microsoft 365 Cloud computing is a European cloud hosting service that is GDPR compliant
- BMSS provides teaching staff with an email address associated with a domain hosted by Blacknight Solutions, which is also GDPR compliant
- School policy states that all work-related emails are sent using only this email account. In addition, for security reasons, passwords for these accounts are held by account users and School Principal.

## **STORAGE OF CONFIDENTIAL PERSON IDENTIFIABLE INFORMATION ON PORTABLE DEVICES**

No confidential data is to be stored on any portable device including laptops, tablets, USB or other mass storage devices.

The school systems are such that ALL personal data can be stored securely on the secure server or on Microsoft 365 Cloud.

Any breach in of these requirements will be considered a disciplinary issue.

When it is necessary to transfer or move personal data and it cannot be done by email, then it must be sent in hardcopy by registered post so that it can be tracked and its safe delivery confirmed by a signature. It should be enclosed in a robust envelope, marked '*Private and Confidential*' to the addressee only

## **DATA SHARING**

The systems used on a day to day basis to email and send data, to and from the servers, is considered safe and secure. Where a request is made to supply encrypted data arrangements need to be made with the IT contractor to facilitate this. There is a cost to encrypt data so it should only be done when absolutely necessary and with the permission of the Data Controller who will have to authorise the encryption 'set up' through the system administrator.

## **VERIFICATION**

In BMSS, any employee dealing with telephone enquiries should be careful about disclosing any personal information held by the school over the phone and/or in person. The employee should ensure that they adhere to the following in all instances:

Providing Information Over the Phone:

- 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 or Chairperson for assistance in difficult situations. No employee should feel forced into disclosing personal information.
- Ensure that a Telephone Log is completed recording the call and details of call.

#### Providing Information in Person:

- Request to see Photo Identification belonging to all new individuals prior to discussing the personal information pertaining to any individual.
- Photocopies of Photo Identification of all clinicians who visit the school are kept on record by BMSS.
- These copies are stored securely in the Principal's Office.

### **PHOTOGRAPHS AND VIDEOS**

Images of staff and pupils may be captured at appropriate times and as part of educational activities for use only in school.

Staff are permitted to only use school cameras and iPads for taking photographs and videos of pupils and staff.

School cameras and iPads are kept in a secure location on the school premises.

Parental Permission is sought at the beginning of each school year for the photographing or recording video of each pupil for the purpose of use in the classroom, school-wide use, sharing within the school community and on the school website.

Where parents take photos or videos for purely personal, family, household, or recreational purposes such personal data will not come within this data protection policy.

Parents are also advised by the Board of Management that they should not share photographs or videos of school events on social media.

### **LINKAGE TO OTHER POLICIES AND CURRICULUM DELIVERY**

BMSS 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 may be among those considered:

- Child Safeguarding Procedures
- Anti-Bullying Policy
- Code of Behaviour
- Admissions and Participation Policy
- Substance Use Policy
- ICT Acceptable Usage Policy
- Attendance Strategy

- Health and Safety Statement
- Assessment Strategy

## PROCESSING IN LINE WITH A DATA SUBJECT'S RIGHTS

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

Data Subjects have the right to:

- Know what personal data the school is keeping relating to them
- Request access to any data held about them by a data controller
- Prevent the processing of their data for direct-marketing purposes
- Ask to have inaccurate data amended
- Ask to have data erased once it is no longer necessary or irrelevant

### 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 purposes for which their data is being kept. The individual must make this request in writing and the data controller will accede to the request within 1 month.

***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.
- Data related to a third party will be redacted.
- If the initial request does not clearly identify the information required, then further enquiries will be made.
- The identity of the requestor must be established before the disclosure of any information, and in the case of information requested about a child, checks should also be carried out regarding proof of relationship to the child. Evidence of identity can be established by requesting production of:

- ☐ Passport
- ☐ Driving licence
- ☐ Utility bills with current address
- ☐ Birth/marriage certificate
- ☐ Public Services Identity Card

*(This list is not exhaustive)*

- 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 Act).
- A pupil (including a past pupil) with competency to understand can refuse to consent to a request for their records by another. Where the pupil/past pupil is not deemed to be competent, a parent/guardian shall make the decision on behalf of the pupil.

- Request must be responded to within 1 month. However, this period will not commence until after clarification of information sought.
- Request must be made using the BMSS Data Subject Access Form (Appendix 1), which is available from the School Office.
- Where a subsequent or similar request is made soon after a request has just been dealt with, it is at the discretion of the 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 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.
- Any information which may cause serious harm to the physical or mental health or emotional condition of the pupil or another should not be disclosed, nor should information that would reveal that the child is at risk of abuse, or information relating to court proceedings except in accordance with HSE children first policy and DES guidelines.
- In the event that postal systems are used then registered post must be used.

## **DATA PROCESSORS**

Where BMSS uses a data processor off site, a third- party agreement will be in place. BMSS's third party agreement specifies the conditions under which the data may be processed, the security conditions attaching to the processing of the data and that the data must be deleted or returned upon completion or termination of the contract.

## **PERSONAL DATA BREACHES**

All incidents in which personal data has been put at risk must be reported to the Office of the Data Protection Commissioner within 72 hours except where the Data Controller determines that "the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons."

When the personal data breach is likely to result in a risk to the rights and freedoms of natural persons, the Board of Management must communicate the personal data breach to the data subject without undue delay.

## **IMPLEMENTATION ARRANGEMENTS – ROLES AND RESPONSIBILITIES**

In BMSS, 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 who 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:

- Board of Management: Data Controller
- Principal: Implementation of Policy
- Teaching personnel: Awareness of responsibilities
- Non-teaching personnel: Awareness of responsibilities
- Administrative personnel: Security, confidentiality
- IT personnel: Security, encryption, confidentiality

## **COMPLAINTS**

Complaints in relation to the procedures contained in this policy should be made to the Chairperson of the Board of Management in writing and sent to the school address. The Chairperson as Data Controller will then decide whether it is appropriate for the complaint to be dealt with in accordance with the school's complaints procedure.

Complaints which are not appropriate to be dealt with through the BMSS Complaint's procedure can be dealt with by the Data Protection Commissioner. Contacts details of both are provided with the disclosure information.

## **RATIFICATION AND COMMUNICATION**

**The Data Protection Policy was ratified by the Board of Management of BMSS following consultation with parents and school staff.** It is now the school's agreed Data Protection Policy. All relevant personnel will be made aware of their responsibilities under the policy by the Data Controller.

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 students should be informed of the Data Protection Policy from the time of expression of interest in a school place for their child. This Data Protection Policy will be included as part of the Admission Pack and on request from the School Office.

## **REVIEW AND EVALUATION OF THIS POLICY**

This policy will be reviewed and evaluated annually. On-going review and evaluation will take cognisance of changing information or guidelines (e.g. the Data Protection Commissioner, Department of Education and Skills or Tusla, the Child and Family Agency, legislation) and feedback from parents/guardians, school staff and others. The policy will be revised as necessary in the light of such a review and evaluation and within the framework of school planning.

**This policy was approved by the Board of Management on: 9 November 2020**

## **APPENDIX 1 - BMSS DATA ACCESS REQUEST FORM**





## BALLYOWEN MEADOWS SPECIAL SCHOOL

# Data Protection Subject Access Request (SAR) Application Form

Request for access to Personal Data under the [General Data Protection Regulation](#) (GDPR) and Data Protection Acts 1988-2018.

Date issued to data subject:	School Stamp:

### Please Note:

**In order to respond to your request for personal data, you will need to provide us with adequate Proof of Identity:**

- ☐ Passport
- ☐ Driving licence
- ☐ Utility bills with current address
- ☐ Birth/marriage certificate
- ☐ Public Services Identity Card

*(This list is not exhaustive);*

### Data Retention

We will only keep a copy of these documents until your subject access request has been fully processed and issued to you and all relevant review or appeal procedure timelines have expired.

**Please complete all parts of this Form in full.**

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

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

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

Current Pupil	Parent/guardian	Past Pupil	Current Staff	Past Staff

## Details of Data Subject

**Please provide the following information:**

Name of subject:		
Date of birth:		
Insert year of leaving:		
Insert years of start and end:	From:	To:

## Declaration

### Section 3 Data Access Request:

I, .....[insert name] wish to be informed whether or not **Ballyowen Meadows Special School, DES Roll No. 19355S**, 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.

**OR**

### Section 4 Data Access Request:

I, ..... [insert name] wish to make an access request for a copy of any personal data that **Ballyowen Meadows Special School, DES Roll No. 19355S**, holds about me/my child. I am making this access request under **Section 4** of the Data Protection Acts.

#### Section 4 Data Access Request only:

Any other information relevant to your access request 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).

Signature: \_\_\_\_\_

Date \_\_\_\_\_

Print Name: \_\_\_\_\_

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#### Checklist – Have you completed to the following?

- 1) Completed the Access Request Form in full?
- 2) Signed and dated the Access Request Form?
- 3) Included a photocopy of official/State photographic identity document (driver's licence, passport etc.) \*

**\*Note to school:** the 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 Chairperson of Board of Management, Ballyowen Meadows Special School, Loughlinstown Drive, Dun Laoghaire, Co. Dublin, A96 H735***

**APPENDIX 2 - BMSS SCHOOL PRIVACY NOTICE TO PUPILS AND THEIR PARENTS AND  
GUARDIANS**



## BALLYOWEN MEADOWS SPECIAL SCHOOL

### SCHOOL PRIVACY NOTICE TO PUPILS AND THEIR PARENTS/GUARDIANS

By enrolling in and attending **Ballyowen Meadows Special School** you and your child acknowledge that you and your child's personal data (including your child's special category personal data) shall be processed by **Ballyowen Meadows Special School**.

This **Privacy Notice** gives you some helpful information about who we are, what personal data we collect about you, why, who we share it with and why, how long we keep it, and your rights.

If you need more information, please request a copy of our Data Protection Policy & Procedures, which is available from the School Office.

#### 1. Who we are:

We are **Ballyowen Meadows Special School**.

Our address and contact details are:

Loughlinstown Drive, Dun Laoghaire, Co. Dublin, A96 H735

Tel: 01 2393010

Email: [office@bmss.ie](mailto:office@bmss.ie)  
[principal@bmss.ie](mailto:principal@bmss.ie)

We provide primary education to children who are aged between 3 and 12 years with a clinical diagnosis of autism and mild or above level of intellectual function and other associated difficulties.

#### 2. The information we collect about you

When you are a pupil with Ballyowen Meadows Special School, we collect and use your personal data.

The personal data we collect can include information about your identity and contact details; images/photo; family details; admission/enrolment details; previous schools; academic progress; PPS number; special educational needs; nationality; language; religion; medical data; information about behaviour and attendance; information about health, safety and welfare; financial information (re fees, grants, etc); and other personal data.

Further details of the data we collect about you can be found in the section on Data in the Data Protection Policy which is available on request from the School Office.

If you are under 18 years when you enrol, we collect the name, address, contact details and other information about your parents/guardians. If you are under 18 years, your parent/guardian is consulted and asked to give consent for certain things like taking your photograph, going on school trips etc.

### **3. How we use your information and the legal basis**

We use your personal data for purposes including:

- *your application for enrolment;*
- *to provide you with appropriate education and support;*
- *to monitor your academic progress;*
- *to care for your health and well-being;*
- *to care for our staff and students;*
- *to process grant applications, fees and scholarships;*
- *to coordinate, evaluate, fund and organise educational programmes;*
- *to comply with our legal obligations as an education body;*
- *to comply with our monitoring and reporting obligations to Government bodies,*
- *to process appeals, resolve disputes, and defend litigation etc.*

For further information on what data we collect, why we collect it, how we use it, and the legal basis for same, please go to the section on Data in the Data Protection Policy which is available on request from the School Office.

### **4. Who we share your information with**

We share your personal data with third parties, including other Government bodies.

This includes the State Examinations Commission, the Department of Education and Skills, NCSE, TUSLA, An Garda Síochána, HSE, the Department of Social Protection, the Revenue Commissioners etc.

The level of sharing and the nature of what is shared depend on various factors. The Government bodies to which we transfer your personal data will use your personal data for their own purposes (including: to verify other information they already hold about you, etc) and they may aggregate it with other information they already hold about you and your family. We also share your personal data with other third parties including our insurance company and other service providers (including IT providers, security providers, legal advisors etc). We are legally required to provide certain records relating to the progress of a student (under 18 years) in his/her education to the student's parents/guardians, including results of examinations. For further information on who we share your data with, when and in what circumstances, and why, please see the section on Data Sharing in our Data Protection Policy which is available on request from the School Office.

### **5. We do not transfer your personal data to a third country or international organisation.**

### **6. We do not engage in automated decision making/profiling.**

### **7. How long we hold your data**

Some personal data is only kept for a short period (e.g. We will destroy at the end of an academic year because it is no longer needed). Some data we retain for a longer period (e.g. retained after you leave or otherwise finish your studies with Ballyowen Meadows Special School). For further information on the retention periods, please go to Appendix 3 of our Data Protection Policy which is available on request from the School Office.

**8. You have the following statutory rights that can be exercised at any time:**

- (a) Right to complain to supervisory authority.
- (b) Right of access.
- (c) Right to rectification.
- (d) Right to be forgotten.
- (e) Right to restrict processing.
- (f) Right to data portability.
- (g) Right to object and automated decision making/profiling.

For further information, please see our Data Protection Policy which is available on request from the School Office.

**9. Contact**

We are waiting to be advised by the Department of Education and Skills with regard to the appointment of a Data Protection Officer (DPO). Ballyowen Meadows Special School will notify you immediately following notification of the name and contact details of this person.

or

If you would like to discuss anything in this privacy notice, please contact the School Principal by email to [principal@bmss.ie](mailto:principal@bmss.ie)

## **APPENDIX 3 - DATA RETENTION RECORD SCHEDULE**





## BALLYOWEN MEADOWS SPECIAL SCHOOL

### SCHOOL RETENTION RECORD SCHEDULE

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, *Ballyowen Meadows Special 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.

The following comprises the School Retention Record Schedule for personal data held by BMSS:

Student Records	Primary	Final disposition	Comments
Registers/Roll books	Never destroy	N/A	Archive when class leaves + 2 years
State exam results	N/A		SEC responsibility to retain, not a requirement for school/ETB to retain.

Records relating to pupils/students	Primary	Final disposition	Comments
<b>Enrolment Forms</b>	Never destroy	N/A	Archive when class leaves + 2 years
<b>Student transfer forms</b> (Applies from one school to another)	Never destroy	N/A	Archive when class leaves + 2 years
Disciplinary notes	Never destroy	N/A	Archive when class leaves + 2 years
Results of in-school tests/assessments (i.e. ongoing, end of term, end of year.	Never destroy	N/A	Archive when class leaves + 2 years
End of term/year reports	Never destroy	N/A	Archive when class leaves + 2 years
Records of school tours/trips, including permission slips, itinerary reports	Never destroy	N/A	Archive when class leaves + 2 years
Scholarship applications e.g. Gaeltacht, book rental scheme	Never destroy	N/A	Archive when class leaves + 2 years

<b>Sensitive Personal Data Students</b>	<b>Primary</b>	<b>Final disposition</b>	<b>Comments</b>
Professional reports	Never destroy	N/A – Never destroy	Archive when class leaves + 2 years
Special Education Needs' files, reviews, correspondence and Personal Pupil Plans/Individual Education Plans/Care Plans	Never destroy	N/A	Archive when class leaves + 2 years
Accident reports	Never destroy	N/A	Archive when class leaves + 2 years
Child protection records	Never destroy	N/A	Archive when class leaves + 2 years
Section 29 appeal records	Never destroy	N/A	Archive when class leaves + 2 years
Enrolment/transfer forms where child is not enrolled or refused enrolment	Never destroy	N/A	Archive when class leaves + 2 years
Records of complaints made by parents/ guardians	Depends entirely on the nature of the complaint.	Confidential shredding or N/A, depending on the nature of the records.	Depends entirely on the nature of the complaint. If it is child-safeguarding, a complaint relating to teacher-handling, or an accident, then retain indefinitely. Never destroy. 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	Primary	Final disposition	Comments
	✓	Confidential shredding	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.
Applications & CVs of candidates called for interview	✓	Confidential shredding	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.
Database of applications	✓	Confidential shredding	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.
Selection criteria	✓	Confidential shredding	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.
Applications of candidates not shortlisted	✓	Confidential shredding	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	✓	Confidential shredding	18 months from close of competition:  12 months from close of competition plus 6 months for the Equality

Staff Records	Primary	Final disposition	Comments
	✓	Confidential shredding	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.
Applications & CVs of candidates called for interview	✓	Confidential shredding	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.
Database of applications	✓	Confidential shredding	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.
Selection criteria	✓	Confidential shredding	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.
Applications of candidates not shortlisted	✓	Confidential shredding	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.
			Tribunal to inform the school that a claim is being taken.
Candidates shortlisted but unsuccessful at interview	✓	Confidential shredding	18 months from close of competition:  12 months from close of competition plus 6 months for the Equality

Staff Records	Primary	Final disposition	Comments
	✓	Confidential shredding	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.
Applications & CVs of candidates called for interview	✓	Confidential shredding	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.
Database of applications	✓	Confidential shredding	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.
Selection criteria	✓	Confidential shredding	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.
Applications of candidates not shortlisted	✓	Confidential shredding	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.
			Tribunal to inform the school that a claim is being taken.
Candidates shortlisted and are successful but do not accept offer	✓	Confidential shredding	18 months from close of competition:  12 months from close of competition plus 6 months for the Equality

Staff Records	Primary	Final disposition	Comments
	✓	Confidential shredding	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.
Applications & CVs of candidates called for interview	✓	Confidential shredding	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.
Database of applications	✓	Confidential shredding	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.
Selection criteria	✓	Confidential shredding	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.
Applications of candidates not shortlisted	✓	Confidential shredding	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.
			Tribunal to inform the school that a claim is being taken.
Interview board marking scheme & board notes	✓	Confidential shredding	18 months from close of competition:  12 months from close of competition plus 6 months for the Equality

Staff Records	Primary	Final disposition	Comments
	✓	Confidential shredding	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.
Applications & CVs of candidates called for interview	✓	Confidential shredding	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.
Database of applications	✓	Confidential shredding	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.
Selection criteria	✓	Confidential shredding	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.
Applications of candidates not shortlisted	✓	Confidential shredding	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.
			Tribunal to inform the school that a claim is being taken.
Panel recommendation by interview board	✓	Confidential shredding	18 months from close of competition:  12 months from close of competition plus 6 months for the Equality



Staff Records	Primary	Final disposition	Comments
	✓	Confidential shredding	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.
Applications & CVs of candidates called for interview	✓	Confidential shredding	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.
Database of applications	✓	Confidential shredding	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.
Selection criteria	✓	Confidential shredding	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.
Applications of candidates not shortlisted	✓	Confidential shredding	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.
			Tribunal to inform the school that a claim is being taken.

Staff personnel files (whilst in employment)	Primary	Final Disposition	Comments
e.g. applications, qualifications, references, recruitment, job specification, contract, Teaching Council registration, records of staff training etc.		Confidential shredding. Retain an anonymised sample for archival purposes.	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	✓	Confidential shredding	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	✓	Confidential shredding	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	✓	Confidential shredding	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)	✓	Confidential shredding	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	✓	Confidential shredding	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	✓	Confidential shredding	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	✓	Confidential shredding	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	✓	Confidential shredding	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	✓	Confidential shredding	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	✓	Confidential shredding	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	✓	Confidential shredding	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)	✓	Confidential shredding	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		Confidential shredding	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	✓	Confidential shredding	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	✓	Confidential shredding	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	✓	Confidential shredding	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	✓	Confidential shredding	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	✓	Confidential shredding	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	✓	Confidential shredding	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	✓	Confidential shredding	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)	✓	Confidential shredding	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). <b>Please note</b> 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). <b>Please note</b> 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	Primary	Final Disposition	Comments
Sickness absence records/certificates	✓	Confidential shredding Or do not destroy.	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), 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.
Pre-employment medical assessment	✓	Confidential shredding Or do not destroy?	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.
Occupational health referral	✓	Confidential shredding Or Do not destroy.	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	✓	Confidential shredding Or Do not destroy.	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.
Accident/injury at work reports	✓	Confidential shredding	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 (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).
Medical assessments or referrals	✓	Confidential shredding Or Do not destroy.	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 Medmark assessment 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.
Sick leave records (sick benefit forms)	✓	Confidential shredding	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	Primary	Final Disposition	Comments
Records of previous service (incl. correspondence with previous employers)	✓	N/A	DES advise that these should be kept indefinitely.
Pension calculation	✓	Confidential shredding	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.)	✓	Confidential shredding	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	✓	Confidential shredding	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	Primary	Final disposition	Comments
Any returns which identify individual staff/pupils,		N/A	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	Primary	Final disposition	Comments
Board agenda and minutes	✓	N/A	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	Primary	Final disposition	Comments
Principal's monthly report including staff absences	✓	N/A	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	Primary	Final disposition	Comments
Audited Accounts	✓	N/A	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 <b>indefinitely</b> 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	Primary	Final Disposition	Comments
Posts of Responsibility	✓	N/A	Retain indefinitely on master file as it relates to pay/pension etc. (See DES guidelines)
Calculation of service	✓	N/A	Retain indefinitely on master file
Promotions/POR Board master files	✓	N/A	Retain indefinitely on master file
Promotions/POR Boards assessment report files	✓	N/A	Retain original on personnel file in line with retention periods in “Staff Records” retention guidelines above
POR appeal documents	✓	N/A	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	✓	N/A	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.