



## Record Keeping, Data Protection and Data Retention Policy

### Introduction

In order to ensure that Greystones Educate Together National School (GETNS) is providing the best possible teaching and learning environment for the children in our care, recording how each pupil is performing in relation to his or her learning is key. Such record keeping is an important part of good teaching.

GET NS also must keep certain records as required by legislation. This information may relate to pupils, their families, and our staff.

The purpose of this policy is to identify the records required to be retained by the school, and to ensure confidentiality and manageable procedures in relation to access to these records by those authorised to access them.

### Rationale

The school has certain legal obligations with regard to keeping detailed records of pupils attendance and learning progress e.g.

- The Education (Welfare) Act 2000 requires Principals to communicate to a school to which a pupil is transferring, any problems relating to school attendance which the pupil concerned had, and any other appropriate matters relating to the pupil's educational progress.
- The school is required to inform the Education Welfare Officer in writing where a pupil is suspended for a period in excess of 6 days, and/or where a pupil is absent in excess of 20 days in a school year, or where in the opinion of the Principal the pupil is not attending school regularly.
- The Education Act Section 9(g) provides that parents – or students of 18 years or upwards – are entitled to have access to records kept by the school relating to the progress of the student in his/her education

## Aims

This policy aims:

- To ensure the school complies with legislative requirements
- To clarify the types of records maintained, and the procedures relating to making them available to the relevant bodies
- To record the educational progress that a pupil is making, thereby enabling parents and teachers to support the child's learning
- To put in place a proper recording and reporting framework in the educational progress of pupils
- To establish a clear understanding, shared by management, staff and parents, as to the type of records that are maintained
- To establish clear guidelines on making these records available to parents/guardians and pupils who have reached the age of 18 where access is requested
- To stipulate the length of time records and reports will be retained

## Guidelines

Records collected by the school are subject to the Data Protection Act. The School Management team ( under the guidance of the Principal) assumes the function of data controller and is responsible for supervising the application of the Data Protection Act within the school.

## Types of Records Collected

The data under the control of the Principal comes under the following headings:

### Student Personal Details

This data relates to personal details of each pupil, such as name, address, date of birth, contact numbers, gender, ethnic origin or religious beliefs if provided, nationality, medical details, dietary information, and PPSN. This information is held in the school office.

### Student Educational Records

Student educational records are held by each class teacher, and copies of personal details, academic progress and results can be accessed on the Office Aladdin Administration system. These records relate to the educational progress of the pupil. Section 9(g) of the Education Act requires that only records of main educational progress of the child are kept.

- Personal details
- School report cards
- Standardised Test Results
- Attendance Records
- Screening Test results (e.g Sigma T, MIST, BIAP etc)

- Teacher-designed test results
- Individual Education Plans
- Psychological Assessments, if any
- Learning Support and Resource Data, including records of refusal to allow children access to Learning Support of Resource Teacher services in the school

### Parents/Guardians Details

GET NS must retain contact details of the Parents/Guardians of all pupils. This information will include name, address, and contact details.

### Staff Records

As an employer GET NS is obliged to retain certain information on all staff. Depending on the nature of the employee, information may contain:

- Name, Address and Contact Information
- PPSN number
- Payroll number
- Pension and Salary details ( for ancillary staff only)
- Attendance Records
- Garda Vetting forms and related documentation
- Administrative data related to vacation, illness, career breaks, job share, leave of absence etc
- Administrative data required by the Department of Education and Skills  
TEACHER ATTENDANCE RECORDS ARE RECORDED ON THE ON-LINE COMPUTERISED SYSTEM ( OLCS) BY THE DEPARTMENT OF EDUCATION AND SKILLS ( DES), ARE PASSWORD PROTECTED AND ACCESSED ONLY BY THE PRINCIPAL, SECRETARY AND CHAIRPERSON (where necessary).

**The following records relating to recruitment are restricted to the Principal, the Deputy Principal (where necessary) and the Board of Management(where necessary). They are destroyed by shredding when no longer required.**

Employee records such as contracts, attendance records will be kept in the Principal's filing cabinet for the duration of the employment plus 2 years.

CVs / job applications and references will be kept for 2 years after the appointment has been made.

The Chairperson of the Board of Management and the Principal have access to these. These records are kept updated by the Principal and destroyed at the appropriate times.

- Qualifications
- Teacher Council Registration Data
- Job application and CV
- References
- Statutory Declaration
- Medical Fitness to teach
- Interview Data
- Appointment Forms
- Contracts

### **Volunteer Records**

GET NS encourages the participation of parents in many aspects of school life. As such, GET NS has many volunteers who help with the running of the school.

As outlined in the GET NS Garda Vetting policy, all volunteers are subject to Garda Vetting, and as such GET NS will retain for all volunteers records of:

- Name, Address and Contact Information
- Date of Birth and addresses since date of birth
- Garda Vetting forms and related documentation e.g. copy of proof of identification

Such Garda Vetting records are retained by the Principal in a locked filing cabinet in the Principal's office.

### **SENSITIVE DATA**

This refers to personal data relating to specific categories of data which are defined as data relating to a person's gender, racial or ethnic origin, political opinions or philosophical belief, sexual life, criminal convictions or proceedings for an offence, trade union membership, the sentence of a court or any court proceedings, physical or mental health or condition or the following:

- Child Protection concerns and HSE referrals
- Minutes of HSE Child Protection conferences

These records are kept securely in the Principal's office and can only be accessed by the Principal or Deputy Principal.

### **Use of CCTV images**



The use of the CCTV system is intended primarily to ensure the security of the school premises and its contents. The CCTV system may be used to capture images of intruders or of individuals damaging property or removing goods without authorization.

A sign informing data subjects that the CCTV system is in operation and the contact details of the monitoring security company will be displayed at the entrance to the school. A notice advising that CCTV cameras are in operation will also be displayed internally.

Images captured by the CCTV system will be retained on the monitor for a month. In exceptional circumstances images may be retained where an investigation by An Garda Síochána is ongoing or where such images are the subject of court proceedings.

If the Gardaí want CCTV images for a specific investigation, the data controller (Principal) will satisfy him/herself that there is a genuine investigation underway. A phone call to the requesting Garda's station will be sufficient, provided that the data controller speaks to a member in the District Office, the station sergeant or a higher ranking officer, as all may be assumed to be acting with the authority of a District/Divisional officer in confirming that an investigation is authorized.

Any person whose image has been recorded has a right to be given a copy of the information recorded. To exercise that right, a person must make an application in writing. A data controller will charge up to €6.35 for responding to such a request and will respond within 40 days.

Practically, a person must provide necessary information to the data controller, such as the date, time and location of the recording. If the image is of such poor quality as not to clearly identify an individual, that image may not be considered to be personal data.

In giving a person a copy of his/her data, the data controller may provide a still/series of still pictures, a tape or a disk with relevant images. However, other people's images will be obscured before the data are released.

### **Board of Management Data**

Name, address and contact details of each Board member

Records in relation to the appointment to the Board

Minutes of Board of Management meetings and correspondence to the Board which may include references to particular people

Principal Reports and Child Protection reports for Board minutes ( such matters will not identify any child or report on the nature of the matter).

All of these are retained by the Principal in a locked filing cabinet.

## Administrative Records

As part of the normal running of the school, GET NS will collect administrative data, including:

### Students

- Attendance Reports and Roll records of attendance ( on the Aladdin system)
- Accident Report Forms (and follow up) : stored in the student's file and in the main office.
- Administration of Medicines Indemnity forms: stored a locked cabinet in the Principal's office
- Annual Student Educational Report : stored online ( Aladdin)
- Accident Insurance claim forms: stored in the main office
- Enrolment Forms ( with copy of birth certificate) : stored in the main office
- Birth Certificate copy ( passport copy if necessary): stored in the main office
- National Education and Welfare Board returns: online access by Principal and Deputy Principal only
- Records of Child Protection issues: stored in locked cabinet in Principal's office
- Records of removal from school before the end of the school day: stored in main office
- Disciplinary records relating to serious breaches of school policies (e.g. the Code of Behaviour or the Anti-Bullying Policy): stored in student's file

### School staff

- Records of Staff and other external visitors signing for entering and exiting the building : stored in main office

### Parents/Guardians

- Meeting notes of any parent/teacher meetings convened outside of the annual parent/teacher meetings relating to serious concerns regarding a child: stored in student's file
- Records of acknowledgments of parents adherence to certain school policies: stored in main office
- Records of consent forms for various school activities/outings: stored in student's file and in main office
- Record of permission to remove children from class to attend Learning Support teaching: stored in student's file

(Other records as directed by the DES)

### Other

- Fire Drill Log Data: stored in main office

## Access to Records

The following will have access where relevant and appropriate to the records listed above:

- Parents and Guardians and Past Pupils
- Authorised Health Service Executive personnel
- Authorised Department of Education and Skills personnel, and personnel from related agencies, e.g. the National Council for Special Education, the National Educational Psychological Service, the National Educational Welfare Board etc
- Designated School Personnel

- First and Second Level schools, when relevant (e.g. in case of a transfer of pupils)
- The School's Board of Management( where necessary)
- The D.E.S.

A parental authorisation form must be completed by parents in the event of data relating to a pupil being transferred to an outside agency, for example to health professionals, except in cases where the school is under a legal obligation to provide information to that outside agency. In such cases – for examples, cases which fall under the authority of the National Education and Welfare Board, parental consent is not required nor sought.

Please note:

The Freedom of Information Act doesn't apply to schools. However, in relation to *access requests* made by the student, under section 4 Data Protection Acts, there is no "age of consent" in the Data Protection Acts. A student who is under 18 years old is entitled to receive their data if they make an access request. The Data Access request form must be used.

Where a school/ETB receives an access request under section 4 from a student aged under 18 years, the school/ETB will need to consider the nature of the data they hold and whether the student is mature enough to deal with the information. If there is anything on the student's file which might be upsetting or distressing for the student to receive, appropriate support and pastoral care should be offered to the student.

It is suggested that if the information is ordinary, routine or non-controversial (e.g. a record of a test result) the student could readily be given access. However, if the information is of a sensitive nature, in certain circumstances appropriate measures should be taken before releasing the data to the student to ensure the student is appropriately supported. In appropriate cases advice should be sought before releasing the materials to the student.

#### **'REQUEST FOR DATA' PROCEDURE**

- Outside agencies requesting access to records must do so in writing, giving seven days notice.
- Parents/Guardians ,defined as the operational,( if considered to be acting 'in loco parentis', the school can use its own discretion as to the input of this 'operational parent') biological, adoptive or foster, can make a request for access to pupil's records either in writing or by telephone to the school office.
- Proof of identity may be required at the School's discretion (including a copy of the child's birth certificate) to ensure the bona fides of the person seeking the data and to ensure that they are entitled to the data requested.
- Standardised School Reports are sent home in late June. Results of Standardised Tests are given in written format in the June report.

- Past pupils over 18 years of age may request access to their records in writing. Records for such pupils are retained for a limited period of time, as outlined further in this policy.
- School staff may request access to the personal information held about them by the school, as stipulated under Section 4 of the Data Protection Act.

## Storage and Retention of Records

All school records are kept until the pupil is 21 years of age. In the case of children with Special Educational Needs, records are stored until they reach the age of 24 years. Records related to pupils' educational progress will be retained for longer as outlined below.

- Standardised test booklets are securely destroyed after one year, but the raw score, stens and percentiles are kept on record until past pupils reach adulthood. In some cases, the design of the test booklet is such that the raw score, stens and percentiles are recorded on the booklet cover: in these cases the cover of the booklet is retained.
- A pupil profile is held by each teacher in his/her individual classroom and passed on to the next teacher as the pupil moves to the next class.
- Records relating to past pupils will be destroyed in the 9<sup>th</sup> year following the year in which they would have graduated from 6<sup>th</sup> class, assuming they had stayed in the school until graduating 6<sup>th</sup> class. As pupils will generally be 12 years old on graduating from 6<sup>th</sup> class, this will ensure that records are kept until they reach 21 years of age.
- Physical records are stored in a secure, locked location. Access to these stored files is restricted to authorised personnel only.
- Computerised records are stored in secured systems. Access is password protected and knowledge of the passwords is restricted to authorised personnel only.
- Computer backups are encrypted and stored in secured locations. Access is password protected and knowledge of the passwords is restricted to authorised personnel only.
- Records in Hard Copy are stored in secure filing cabinets in the main offices or in the 'archived' area. Access is restricted to authorised personnel only.

## Roles and Responsibilities

The school management team, under the direction of the Principal, will implement and monitor this policy. Individual teachers will administer and record all in-class testing. The Principal will remind staff of their responsibility to ensure records are maintained and stored in accordance with this policy.

## Success Criteria:

- Compliance with Data Protection Act and Statute of Limitations Act
- Easy access to records
- Framework in place for ease of compilation and reporting
- Manageable storage of records

## References

- Education Act 1998
- Data Protection Act 2003
- *Data Protection Act 2003*
- *Freedom of Information Act 1997*
- *Literacy and Numeracy Strategy 2011*

THE SCHOOL MUST ALSO COMPLY WITH THE FREEDOM OF INFORMATION ACT 1997, THE DATA PROTECTION ACT 2003 AND THE NATIONAL STRATEGY TO IMPROVE LITERACY AND NUMERACY AMONG CHILDREN AND YOUNG PEOPLE 2011-2020

## Policy Review

This policy will be reviewed as necessary, and in particular to comply with any relevant legislative changes.

Feedback from all members of the school community on all school policies is encouraged. Feedback may be provided by email to [contact@greystoneset.ie](mailto:contact@greystoneset.ie) or by letter to the school office.

## Revision History

| Version | Date             | Comment  |
|---------|------------------|--|
| 0.1     | 6 December 2013  | Applied new template, imported draft version, circulated for comment |
| 1.0     | 15 November 2016 | Updated following internal reviews and updates                       |

## Ratification

Ratified by Board of Management on

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Signed by:

\_\_\_\_\_ (Chairperson)

Date:

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