



## **6. Gortnahoe National School**

### **Data Protection and Record-Keeping Policy (GDPR)**



## Introductory Statement

This policy has been formulated in consultation with the staff, parents and Board of Management in February 2019 in order to comply with the EU General Data Protection Regulation (GDPR)

The school's 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.

Gortnahoe N.S. 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:

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.

## Data Protection Principles

The school BoM is a *data controller of personal data* relating to its past, present and future staff, students, parents/guardians and other members of the school community. As such, the BoM is obliged to comply with the principles of data protection set out in the Data Protection Acts 1988 to 2018 and GDPR, which can be summarised as follows:

1. Obtain and Process Personal Data fairly

Information on students is gathered with the help of parents/guardians and staff. Information is also transferred from their previous school, if applicable. In relation to information the school holds on other individuals (members of staff, individuals applying for positions within the School,



parents/guardians of students, 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. The information will be obtained and processed fairly.

*(See: Appendix 1)*

## 2. Consent

Where consent is the basis for provision of personal data, (e.g. data required to join sports teams/ after-school activity or any other optional school activity) the consent must be a freely-given, specific, informed and unambiguous indication of the data subject's wishes. Gortnahoe N.S. will require a clear affirmative action e.g. ticking of a box/signing a document to indicate consent. Consent can be withdrawn by data subjects in these situations. *(See: Appendix 2)*

## 3. Keep it only for one or more specified and explicit lawful purposes

The BoM 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 it only in ways compatible with the purposes for which it was given initially

Data relating to individuals will only be processed in a manner consistent with the purposes for which it was gathered. Information will only be disclosed on a 'need to know' basis, and access to it will be strictly controlled

## 5. Keep Personal Data 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 and protected with computer software and password protection in the case of electronically stored data. Portable devices storing personal data (such as laptops) are encrypted and password-protected.

## 6. Keep Personal Data 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 and/or sensitive personal data to ensure that the individual's data is accurate, complete and up-to-date. Once informed, the school will make all necessary changes to the relevant records. 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 it 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 it no longer than is necessary for the specified purpose or purposes for which it was given



As a general rule, the information will be kept for the duration of the individual's time in the school. Thereafter, the school will comply with DES guidelines on the storage of Personal Data 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: School Record Retention Table – Appendix 3*)

9. Provide a copy of their personal data to any individual on request

Individuals have a right to know and have access to a copy of personal data held about them, by whom, and the purpose(s) for which it is held (See: Appendix 4)

### **Scope**

The Data Protection legislation applies 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, students and their parents/guardians how their data will be treated

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 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:

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 (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 – performing any operation or set of operations on data, including:



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

Data Processor – 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 (e.g. Aladdin; school accounting / wages processors)

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** – 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

### **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 and the GDPR.

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



## 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:**

Under Section 9(g) of the Education Act, 1998, the parents of a student, or a student who has reached the age of 18 years, must be given access to records kept by the school relating to the progress of the student in their education

Under Section 20 of the Education (Welfare) Act, 2000, the school must maintain a register of all students attending the School

Under Section 20(5) of the Education (Welfare) Act, 2000, a principal is obliged to notify certain information relating to the child's attendance in school and other matters relating to the child's educational progress to the principal of another school to which a student is transferring. Gortnahoe N.S. sends, by post, a copy of a child's *passport*, as provided by the National Council for Curriculum and Assessment, to the principal of the Post-Primary School in which the pupil has been enrolled.

Where reports on pupils which have been completed by professionals, apart from Gortnahoe N.S. staff, are included in current pupil files, such reports are only passed to the post-primary school following express written permission having been sought and received from the parents of the said pupils

Under Section 21 of the Education (Welfare) Act, 2000, the school must record the attendance or non-attendance of students registered at the school on each school day

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



Under Section 14 of the Education for Persons with Special Educational Needs Act, 2004, the school is required to furnish to the National Council for Special Education (and its employees, which would include Special Educational Needs Organisers) 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 most schools are not currently subject to freedom of information legislation, (with the exception of schools under the direction of Education and Training Boards), if a school has furnished information to a body covered by the Freedom of Information Act (such as the Department of Education and Skills, etc.) these records could be disclosed by that body if a request is made to that body

Under Section 26(4) of the Health Act, 1947 a school shall cause all reasonable facilities (including facilities for obtaining names and addresses of pupils attending the school) to be given to a health authority who has served a notice on it of medical inspection, e.g. a dental inspection

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

#### **Relationship to characteristic spirit of the School:**

Gortnahoe N.S. seeks to:

- enable students 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.

We aim to achieve these goals while respecting the privacy and data protection rights of students, staff, parents/guardians and others who interact with us. The school wishes to achieve these aims/missions while fully respecting individuals’ rights to privacy and rights under the Data Protection Legislation.



## Personal Data

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

### 1. **Staff records:**

Categories of staff data:

As well as existing members of staff (and former members of staff), these records may also relate to applicants applying for positions within the school, trainee teachers and teachers being probated.

These staff records may include:

- Name, address and contact details, PPS number.
- Name and contact details of next-of-kin in case of emergency.
- Original records of application and appointment to promotion posts
- Details of approved absences (career breaks, parental leave, study leave, etc.)
- Details of work record (qualifications, classes taught, subjects, etc.)
- Details of any accidents/injuries sustained on school property or in connection with the staff member carrying out their school duties
- Records of any reports the school (or its employees) have made in respect of the staff member to State departments and/or other agencies under Children First Act 2015

Purposes:

Staff records are kept for the purposes of:

- the management and administration of school business (now and in the future);
- to facilitate the payment of staff, and calculate other benefits/entitlements (including reckonable service for the purpose of calculation of pension payments, entitlements and/or redundancy payments where relevant)
- to facilitate pension payments in the future;
- human resources management;
- recording promotions made (documentation relating to promotions applied for) and changes in responsibilities, etc.;
- to enable the school to comply with its obligations as an employer, including the preservation of a safe, efficient working and teaching environment (including complying with its responsibilities under the Safety, Health and Welfare at Work Act 2005);
- to enable the school to comply with requirements set down by the Department of Education and Skills, the Revenue Commissioners, the National Council for Special Education, Tusla, the HSE, and any other governmental, statutory and/or regulatory departments and/or agencies;
- and for compliance with legislation relevant to the school.

Location and Security Procedures of Gortnahoe N.S.:

- Manual records are kept in a secure, locked filing cabinet in the main administrative office/principal's office only accessible to personnel who are authorised to use the data. Employees are required to maintain the confidentiality of any data to which they have access.





- Digital records are stored on password-protected computer with adequate encryption and firewall software in a locked office. The school has the burglar alarm activated during out-of-school hours.

## 2. Student records:

Categories of student data:

These may include:

- 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 they (or their parents) are medical card holders;
  - whether English is the student's first language and/or whether the student requires English language support;
  - any relevant special conditions (e.g. special educational needs, health issues, ) 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 and/or medical assessments;
- Attendance records;
- Photographs and recorded images of students (including at school events and noting achievements) are managed in line with the accompanying policy on school photography;
- Academic record – subjects studied, class assignments, examination results as recorded on official school reports;
- Records of significant achievements;
- Whether the student is exempt from studying Irish;
- Records of disciplinary issues/investigations and/or sanctions imposed;
- Other records e.g. records of any serious injuries / accidents, (Note: it is advisable to inform parents that a particular incident is being recorded);
- Records of any reports the school (or its employees) have made in respect of the student to State Departments and/or other agencies under Children First Act 2015.

Purposes: The purposes for keeping student records include:

- to enable each student to develop to his/her full potential;
- to comply with legislative or administrative requirements;
- to ensure that eligible students can benefit from the relevant additional teaching or financial supports;
- to support the provision of religious instruction;
- to enable parents/guardians to be contacted in the case of emergency or in the case of school closure, or to inform parents of their child's educational progress or to inform parents of school events, etc.;
- to meet the educational, social, physical and emotional requirements of the student;
- photographs and recorded images of students are taken to celebrate school achievements, e.g. 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 Photography Policy' and 'School Website Privacy Statement'.

- to ensure that the student meets the school's admission criteria
- to ensure that students meet the minimum age requirement for attendance at Primary School.
- to ensure that any student seeking an exemption from Irish meets the criteria in order to obtain such an exemption from the authorities
- 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 second-level educational institutions.

**(Location and Security Procedures as above):**

### 3. Board of Management records:

Categories of Board of Management data:

- Name, address and contact details of each member of the Board of Management (including former members of the Board of Management)
- Records in relation to appointments to the Board
- Minutes of Board of Management meetings and correspondence to the Board, which may include references to individuals.

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.

(Location and Security procedures as above):

### 4. Other Records: Creditors

Categories of Board of Management data:

The school 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 and
- amount paid

Purposes: The purposes for keeping creditor records are:



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.

(Location and Security procedures as above):

#### 5. **Other Records: Charity Tax-back Forms**

Categories of Board of Management data:

The school 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.

Purposes: The purposes for keeping creditor records are:

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 name of the parent, address, PPS number, tax rate, telephone number, signature and the gross amount of the donation. This is retained by the School in the event of audit by the Revenue Commissioners.

(Location and Security procedures as above):

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#### **Examination results**

The school will hold data comprising examination results in respect of its students. These include class, mid-term, annual and continuous assessment results, Diagnostic Test results and the results of Standardised Tests

Purposes:

The main purpose for which these examination results are held is to monitor a student's progress and to provide a sound basis for advising them and their parents or guardians about educational attainment levels and recommendations for the future. The data may also be aggregated for statistical/reporting purposes, such as to compile results tables. The data may be transferred to the Department of



Education and Skills, the National Council for Curriculum and Assessment and other schools to which a pupil will move to.

Location and Security procedures. As above

### **Links to other policies and to curriculum delivery**

Our 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:

- Pupil Online Database (POD): Collection of the data for the purposes of complying with the Department of Education and Skills' pupil online database.
- Child Protection Procedures
- Anti-Bullying Procedures
- Code of Behaviour
- Enrolment Policy
- ICT Acceptable Usage Policy
- Assessment Policy
- Special Educational Needs' Policy
- Critical Incident Policy
- Attendance Policy

### **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 a right to:

- Know what personal data the school is keeping on 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 (See: Appendix 5)

Data Processors

Where the school outsources to a data processor off-site, it is required by law to have a written contract in place (**Written Third Party Service Agreement**). Gortnahoe N.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. *See Appendix 9 and 10 ( Data Processing Agreement with Aladdin and Aladdin Practices)*

#### 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

When the personal data breach is likely to result in a high risk to the rights and freedoms of natural persons, the BoM must communicate the personal data breach to the data subject without undue delay. If a data processor becomes aware of a personal data breach, it must bring this to the attention of the data controller (BoM) without undue delay.

#### Dealing with a data access request

Individuals are entitled to a copy of their personal data on written request (See: Appendix 4)

Request must be responded to within one month. An extension may be required (e.g. over holiday periods etc.)

No fee may be charged except in exceptional circumstances where the requests are repetitive or manifestly unfounded or excessive

No personal data can be supplied relating to another individual apart from the data subject

#### Providing information over the phone

An employee dealing with telephone enquiries should be careful about disclosing any personal information held by the school over the phone. In particular, the employee should:

- Ask that the caller put their request in writing
- Refer the request to the principal for assistance in difficult situations
- Not feel forced into disclosing personal information

#### Implementation arrangements, roles and responsibilities

The BoM is the data controller and the principal implements the Data Protection Policy, 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:

<u>Name</u>	<u>Responsibility</u>
Board of Management	Data Controller
Principal	Implementation of Policy
Teachers / Staff	Implementation of Policy

### **Ratification & communication**

Ratified at the BoM meeting on 30th May 2018 and signed by Chairperson. Secretary recorded the ratification in the minutes of the meeting

Monitoring the implementation of the policy

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

Reviewing and evaluating the policy

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



## **Gortnahoe N.S.**

### **Appendix 1**

#### **Fair Processing**

##### Fair Processing of personal data

Section 2A of the Acts details a number of conditions, at least one of which must be met, in order to demonstrate that personal data is being processed fairly. These conditions include that the data subject has consented to the processing, or that the processing is necessary for at least one of the following reasons:

1. The performance of a contract to which the data subject is party, or
2. In order to take steps at the request of the data subject prior to entering into a contract, or
3. In order to comply with a legal obligation (other than that imposed by contract), or
4. To prevent injury or other damage to the health of the data subject, or
5. To prevent serious loss or damage to the property of the data subject, or
6. To protect the vital interests of the data subject where the seeking of the consent of the data subject is likely to result in those interests being damaged, or
7. For the administration of justice, or
8. For the performance of a function conferred on by or under an enactment or,
9. For the performance of a function of the Government or a Minister of the Government, or
10. For the performance of any other function of a public nature performed in the public interest by a person, or
11. For the purpose of the legitimate interests pursued by a data controller except where the processing is unwarranted in any particular case by reason of prejudice to the fundamental rights and freedoms or legitimate interests of the data subject

##### Fair processing of sensitive personal data

If processing sensitive data, you must satisfy the requirements for processing personal data set out above along with at least one of the following conditions (set out in section 2B of the Acts):

1. The data subject has given explicit consent, or
2. The processing is necessary in order to exercise or perform a right or obligation which is conferred or imposed by law on the data controller in connection with employment, or
3. The processing is necessary to prevent injury or other damage to the health of the data subject or another person, or serious loss in respect of, or damage to, property or otherwise to protect the vital interests of the data subject or of another person in a case where consent cannot be given, or the data controller cannot reasonably be expected to obtain such consent, or
4. The processing is necessary to prevent injury to, or damage to the health of, another person, or serious loss in respect of or damage to, the property of another person, in a case where such consent has been unreasonably withheld, or
5. The processing is carried out by a not-for-profit organisation in respect of its members or other persons in regular contact with the organisation, or
6. The information being processed has been made public as a result of steps deliberately taken by the data subject, or
7. The processing is necessary for the administration of justice, or



8. The processing is necessary for the performance of a function conferred on a person by or under an enactment, or
9. The processing is necessary for the performance of a function of the Government or a Minister of the Government, or
10. The processing is necessary for the purpose of obtaining legal advice, or in connection with legal proceedings, or is necessary for the purposes of establishing, exercising or defending legal rights, or
11. The processing is necessary for medical purposes, or
12. The processing is necessary in order to obtain information for use, subject to, and in accordance with, the Statistics Act, 1993, or
13. The processing is necessary for the purpose of assessment of or payment of a tax liability, or
14. The processing is necessary in relation to the administration of a Social Welfare scheme





## **Gortnahoe N.S.**

### **Appendix 2**

#### **Consent**

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

To ensure that the school's practices are open and transparent and to obtain data fairly the data subject must, at the time the personal data is being collected, be made aware of:

1. the name of the data controller (i.e. School BoM)
2. the purpose/rationale for collecting the data and any secondary uses of their personal data which might not be obvious to them
3. the persons or categories of persons to whom the data may be disclosed e.g.
  - DES
  - other third parties operating in the education and welfare sphere e.g. NCSE, TUSLA, NEPS, SESS, the HSE, TUSLA, An Garda Síochána
  - other third parties with whom the School contracts, such as cloud-based school administration software companies, accountants, insurance companies, lawyers, etc.
4. whether replies to questions asked are obligatory and the consequences of not providing replies to those questions
5. the existence of the right to access their personal data
6. the right to rectify their data if inaccurate or processed unfairly
7. any other information which is relevant so that processing may be fair and to ensure that the data subject has all the information that is necessary to facilitate their awareness of how their data will be processed

Where you use application forms or standard documentation in school for enrolment or other purposes, you should explain your purposes/uses etc. clearly on such forms or documentation

No age limit is associated with consent. However, it is important that the data subject appreciates the nature and effect of such consent. Therefore, different ages might be set for different types of consent. Where a person is unlikely to be able to appreciate the nature or effect of consent, by reason of physical or mental incapacity or age, then a parent, grandparent, uncle, aunt, brother, sister or guardian may give consent on behalf of the data subject. These are the only circumstances in which a third party may give consent on behalf of a data subject



## Fair Obtaining: Test Yourself

When people are giving you information, you should be able to answer YES to the following questions:-

1. do they know what information you will keep about them?
2. do they know the purpose for which you keep and use it?
3. do they know the people or bodies to whom you disclose or pass it?

In general, the fair obtaining principle requires that every individual about whom information is collected for holding will be aware of what is happening



**GORTNAHOE N.S.**

**Appendix 3**

**School Record Retention Table**

<b>Pupil Related</b>	<b>Retention Periods</b>
School Register/Roll Books Enrolment Forms Disciplinary notes Test Results – Standardised Psychological Assessments etc. SEN Files/IEPS Accident Reports Child Protection Reports/Records S.29 Appeals	Indefinitely Hold until pupil is 25 Years Never Destroy Never Destroy Never Destroy Never Destroy Never Destroy Never Destroy Hold until pupil is 25 Years
<b>Interview Records</b>	
Interview Board Marking Scheme Board of Management notes (for unsuccessful candidates)	18 months from close of competition plus 6 months in case Equality Tribunal needs to inform school that a claim is being taken
<b>Staff Records</b>	
Contract of Employment Teaching Council Registration Vetting Records  Accident/Injury at work Reports	Retention for duration of employment + 7 years



	(6 years to make a claim against the school plus 1 year for proceedings to be served on school)
<b>BoM Records</b>	
BOM Agenda and Minutes	Indefinitely
CC TV Recordings	28 days normally. In the event of criminal investigation – as long as is necessary
Payroll & Taxation	Revenue require a 6-year period after the end of the tax year
Invoices/receipts	Retain for 7 Years
Audited Accounts	Indefinitely
	Indefinitely
<p><b><i>Why, in certain circumstances, does the Data Protection Commission recommend the holding of records until the former pupil has attained 25 years of age?</i></b></p> <p><i>The reasoning is that a pupil reaches the age of majority at 18 years and that there should be a 6-year limitation period in which it would be possible to take a claim against a school, plus 1 year for proceedings to be served on a school. The Statute of Limitations imposes a limit on a right of action so that after a prescribed period any action can be time barred.</i></p>	

**Data that becomes obsolete will be shredded. The school may employ the services of a private company in the destruction of such data.**



**Gortnahoe N.S.**

**Appendix 4**

**Personal Data Access Request Form**

**Request for a copy of Personal Data under the Data Protection Acts 1988 to 2018**

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

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:**

<b>Parent/ Guardian of current Pupil</b>  o	<b>Former Pupil</b>  o	<b>Current Staff Member</b>  o	<b>Former Staff Member:</b>  o



Name of Pupil:		Date of Birth of Pupil:	
Insert Year of leaving:		Insert Years From/To:	

Data Access Request:

I, ..... [name] wish to make an Access Request for a copy of personal data that Gortnahoe N.S. holds about me/my child. I am making this access request under Data Protection Acts 2013 to 2018

To help us to locate your personal data, please provide details below, which will assist us to meet your requirements e.g. description of the category of data you seek.

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

This **Access Request** must be accompanied with a copy of photographic identification e.g., passport or drivers licence. I declare that all the details I have given in this form are true and complete to the best of my knowledge.

**Signature of Applicant** ..... **Date:**

.....

Please return this form to the relevant address:

**To: The Chairperson Board of Management, Gortnahoe N.S., McCurtain St, Fermoy, Co.**



## **GORTNAHOE N.S.**

### **Appendix 5**

#### **Your rights as a data subject**

1. Right to have your data processed in accordance with the Data Protection Acts  
to have your personal information obtained and processed fairly, kept securely and not unlawfully disclosed to others
2. Right to be informed  
to know the identity of the data controller and the purpose for obtaining your personal information
3. Right of access  
to get a copy of your personal information
4. Right of rectification or erasure  
to have your personal information corrected or deleted if inaccurate
5. Right to block certain uses  
to prevent your personal information being used for certain purposes
6. Right to have your name removed from a direct marketing list  
to stop unwanted mail
7. Right to object  
to stop some specific uses of your personal information
8. Employment rights  
not to be forced into accessing personal information for a prospective employer
9. Freedom from automated decision making  
to have a human input in the making of important decisions relating to you
10. Rights under Data Protection and Privacy in Telecommunications Regulations  
to prevent your phone directory entry details from being used for direct marketing purposes



**Gortnahoe N.S.**

**Appendix 6**

**The 8 Rules of Data Protection**

1. **Obtain and process information fairly**
2. **Keep it only for one or more specified, explicit and lawful purposes**
3. **Use and disclose it only in ways compatible with these purposes**
4. **Keep it safe and secure**
5. **Keep it accurate, complete and up-to-date**
6. **Ensure that it is adequate, relevant and not excessive**
7. **Retain it for no longer than is necessary for the purpose or purposes**
8. **Give a copy of his/her personal data to that individual on request**





**Gortnahoe N.S.**

**Appendix 7**

## **Privacy Notice to Parents/Guardians**

### **1. Introduction**

By enrolling your child(ren) in and by your child(ren) attending Gortnahoe N.S. you acknowledge that your and your child's/children's personal data (including special category personal data) shall be processed by Gortnahoe N.S.

This Privacy Notice gives you some helpful information about the personal data which the school collects about you and your child(ren), why we collect that data, who we share it with and why, how long we keep it and your rights.

If you need more information, please see our Data Protection Policy available at [insert website] or on request from the school.

### **2. Who we are**

The address of Gortnahoe N.S. is Gortnahoe, Thurles, Co.Tipperary and telephone number is 056 8834390.

We provide primary education to children from junior infants to 6<sup>th</sup> class.

For further information, see the school's website at [www.gortnahoes.ie](http://www.gortnahoes.ie)

### **3. The information we collect about you/your child(ren)**

When your child(ren) is a pupil in Gortnahoe N.S., the school collects and uses your personal data and that of your child(ren).

The personal data we collect **about you** can include:

- name, address and contact details;
- details of any special arrangements with regard to guardianship, custody or access;
- religious belief;
- nationality;
- whether you are medical card holders;
- Correspondence and documents with other agencies under mandatory reporting legislation; and
- Correspondence with you in relation to your child/children.

The personal data we collect about **your child(ren)** can include:

- name, address and contact details, PPS number;
- date and place of birth;
- religious belief;
- nationality;



- whether they are medical card holders;
- whether English is the pupil's first language and/or whether the pupil requires English language support;
- any relevant special conditions (e.g. special educational needs, health issues etc.) which may apply;
- Information on previous academic record (including reports, assessments and other records from any previous school(s) attended by the pupil);
- Psychological, psychiatric and/or medical assessments;
- Attendance records;
- Photographs and recorded images of pupils (including at school events and noting achievements);
- Academic record – class assignments, standardised testing results and results as recorded on official School reports;
- Records of significant achievements;
- Whether the pupil is exempt from studying Irish;
- Records of disciplinary issues/investigations and/or sanctions imposed;
- Other records e.g. records of any serious injuries/accidents etc.;
- Records of any reports the school (or its employees) have made in respect of the pupil to State departments and/or other agencies under mandatory reporting legislation and/or child safeguarding guidelines (subject to the DES Child Protection Procedures).

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

We use your and your child(ren)'s personal data for certain purposes including:

*Your child'/children's application for enrolment;  
to provide your child(ren) with appropriate education and support;  
to monitor your child's/children's academic progress;  
to care for your child's/children's health and well-being;  
to process grant applications, where relevant;  
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.*

For further information on what data we collect, why we collect it, how we use it, and the legal basis for same, please see our Data Protection Policy.

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

We share your child's/children's personal data with third parties, including other Government bodies.

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

The level of sharing and the nature of what is shared depends on various factors. The Government bodies to which we transfer your child's/children's personal data will use that data for their own



purposes (including: to verify other information they already hold about your child/children) and they may aggregate it with other information they already hold about your child(ren). We also share your child's/children's personal data with other third parties including our insurance company and other service providers (including IT providers, security providers, legal advisors). We are legally required to provide certain records relating to the progress of a pupil (under 18 years) in his 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 our Data Protection Policy available on our website. We do not transfer your personal data to a third country or international organisations. We do not engage in automated decision making/profiling.

## **6. 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 your child(ren) leaves. For further information, see the school's Data Retention Policy which is available on the school's website.

## **7. 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.

## **8. Contact**

If you would like to discuss anything in this privacy notice, please contact the Principal at email [info@gortnaoens.ie](mailto:info@gortnaoens.ie).



**Gortnahoe N.S.**

**Appendix 8**

**Gortnahoe N.S. Website Privacy Statement and Cookies Policy**

**[www.gortnahoens.ie](http://www.gortnahoens.ie)**

**Privacy Policy**

This statement relates to our privacy practices in connection with this website. We are not responsible for the content or privacy practices of other websites. Any external links to other websites are clearly identifiable as such.

**Collection and use of personal information**

We do not collect any personal data about you on this website.

**Collection and use of technical information**

This website uses what is called a session cookie. This cookie is used while you are on our website to record the language version of the site you are looking at. We collect cookies to provide a service whereby your account data is stored as you move from page to page through the website. No personal information is stored within these cookies.

**Google Analytics**

We use Google Analytics to collect anonymised tracking data including the pages you have visited, the amount of time spent on each page, the website you have come from before visiting this website, your location (country and/or region) and other non-personal information. We do not collect any Personally Identifiable Information. If you would like to opt out of having your anonymous usage data tracked you may do so by clicking this button

Cookie Policy

**What Are Cookies**

As is common practice with almost all professional websites this site uses cookies, which are tiny files that are downloaded to your computer, to improve your experience. This page describes what information they gather, how we use it and why we sometimes need to store these cookies. We will



also share how you can prevent these cookies from being stored however this may downgrade or 'break' certain elements of the sites functionality.

For more general information on cookies see the Wikipedia article on HTTP Cookies.

### **How We Use Cookies**

We use cookies for a variety of reasons detailed below. Unfortunately in most cases there are no industry standard options for disabling cookies without completely disabling the functionality and features they add to this site. It is recommended that you leave on all cookies if you are not sure whether you need them or not in case they are used to provide a service that you use.

### **Disabling Cookies**

You can prevent the setting of cookies by adjusting the settings on your browser (see your browser help for how to do this). Be aware that disabling cookies will affect the functionality of this and many other websites that you visit. Disabling cookies will usually result in also disabling certain functionality and features of the this site. Therefore it is recommended that you do not disable cookies.

### **The Cookies We Set**

- Site preferences cookies

In order to provide you with a great experience on this site we provide the functionality to set your preferences for how this site runs when you use it. In order to remember your preferences we need to set cookies so that this information can be called whenever you interact with a page is affected by your preferences.

### **Third Party Cookies**

In some special cases we also use cookies provided by trusted third parties. The following section details which third party cookies you might encounter through this site.

- This site uses Google Analytics which is one of the most widespread and trusted analytics solution on the web for helping us to understand how you use the site and ways that we can improve your experience. These cookies may track things such as how long you spend on the site and the pages that you visit so we can continue to produce engaging content.

For more information on Google Analytics cookies, see the official Google Analytics page.

- From time to time we test new features and make subtle changes to the way that the site is delivered. When we are still testing new features these cookies may be used to ensure that you receive a consistent experience whilst on the site whilst ensuring we understand which optimisations our users appreciate the most.

### **More Information**



Hopefully that has clarified things for you and as was previously mentioned if there is something that you aren't sure whether you need or not it's usually safer to leave cookies enabled in case it does interact with one of the features you use on our site.

However if you are still looking for more information then you can contact us through one of our preferred contact methods:



**Gortnahoe N.S.**  
**Appendix 9**  
**Data Processing Agreement with Aladdin**

(A) You, the Data Controller have entered into a Service Agreement with CLOUDWARE LIMITED T/A Aladdin Schools, the Data Processor, for the purposes of the Data Processor providing you with software services to support the management and administration of schools.

(B) You and the Data Processor are entering into this Data Processing Agreement to ensure compliance with current Data Protection Law (as applicable) in relation to all such processing.

(C) The terms of this Agreement are to apply to all data processing carried out for the Data Controller by the Data Processor and to all personal data processed by the Data Processor in relation to all such processing whether such personal data is processed at the date of the Service Agreement or received afterwards.

1. Interpretation

The terms and expressions set out in this agreement shall have the following meanings:

<b>"Data Protection Law"</b>	shall mean EU Regulation 2016/679 (GDPR) and such other applicable law which may apply
<b>"Service Agreement"</b>	the Terms of Service agreed between the parties for software services.
<b>"Data Controller", "Data Processor" and "processing"</b>	shall have the meanings given to them in Data Protection law;
<b>"ODPC"</b>	means the Office of the Data Protection Commission, Ireland;
<b>"personal data"</b>	shall include all data relating to individuals which is processed by the Data Processor on behalf of the Data Controller in accordance with this Agreement.

It is agreed as follows:

2. This Agreement sets out various obligations in relation to the processing of data under the Service Agreement. If there is a conflict between the provisions of the Service Agreement and this Agreement, the provisions of this Agreement shall prevail.

3. The Data Processor is to process personal data received from the Data Controller only on the written instructions of designated contacts at the Data Controller (which may be specific instructions or instructions of a general nature as set out in the Service Agreement or as otherwise notified by the Data Controller to the Data Processor (during the term of the Service Agreement).

4. The Data Controller warrants that at all times it shall comply with the Data Protection Law and shall not perform its obligations under this Agreement (or the Service Agreement) in such way as to cause the Data Processor to breach any of its applicable obligations under the Data Protection Law.



5. The Data Processor warrants that at all times it shall comply with the Data Protection Law and shall not perform its obligations under this Agreement (or the Service Agreement) in such way as to cause the Data Controller to breach any of its applicable obligations under the Data Protection Law.

6. All personal data provided to the Data Processor by the Data Controller or obtained by the Data Processor in the course of its work with the Data Controller is strictly confidential and may not be copied, disclosed or processed in any way without the express authority of the Data Controller.

7. The Data Processor agrees to comply with any reasonable measures required by the Data Controller to ensure that its obligations under this Agreement are satisfactorily performed in accordance with all applicable legislation from time to time in force and any best practice guidance issued by the ODPC.

8. Where the Data Processor processes personal data on behalf of the Data Controller it shall:

- **8.1** process the personal data only to the extent, and in such manner, as is necessary in order to comply with its obligations under the Service Agreement, or as is required by law or any regulatory body including but not limited to the ODPC;
- **8.2** implement appropriate technical and organisational measures and take all steps necessary to protect the personal data against unauthorised or unlawful processing and against accidental loss, destruction, damage, alteration or disclosure, and promptly supply details of such measures as requested from the Data Controller;
- **8.3** if so requested by the Data Controller (and within the timescales required by the Data Controller) supply details of the technical and organisational systems in place to safeguard the security of the personal data held and to prevent unauthorised access;
- **8.4** notify the Data Controller should any data security breach occur in the Data Processor's company;
- **8.5** notify the Data Controller (within two working days) if it receives:
  - **8.5.1** a request from a data subject to have access to that person's personal data;
  - or
  - **8.5.2** a complaint or request relating to the Data Controller's obligations under the Data Protection Law;
- **8.6** provide the Data Controller with full co-operation and assistance in relation to any complaint or request made, including by:
  - **8.6.1** providing the Data Controller with full details of the complaint or request;
  - **8.6.2** complying with a data access request within the relevant timescale set out in the Data Protection Law and in accordance with the Data Controller's instructions;
  - **8.6.3** providing the Data Controller with any personal data it holds in relation to a data subject (within the timescales required by the Data Controller);
  - **8.6.4** providing the Data Controller with any information requested by the Data Controller;
- **8.7** not process personal data outside the European Economic Area without ensuring there is an adequate level of protection to any personal data that is transferred,
- **8.8** not transfer any personal data provided to it by the Data Controller to any third party without the prior approval of the Data Controller, such prior approval having been provided for through the Data Controller's acceptance of the Terms of Service.
- **8.9** shall ensure that any third party to which it sub-contracts any processing has entered into a written contract with the Data Processor which contains all the obligations that are





contained in this Agreement and which permits both the Data Processor and the Data Controller to enforce those obligations.

9. The Data Processor shall transfer all personal data to the Data Controller in compliance with the requirements notified in writing by the Data Controller to the Data Processor from time to time.

10. The Data Processor shall assist the Data Controller with ensuring compliance with Articles 32 to 36 of the GDPR (relating to security of personal data and risk assessments).

11. The Data Processor shall make available to the Data Controller all information necessary to demonstrate compliance with the Data Protection Law.

12. The Data Processor warrants that it will only engage trained, competent and reliant staff to process the personal data on behalf of the Data Controller.

13. The Data Processor shall be liable for each and every action, proceedings, liability, cost, claim, loss, expense and demand incurred by the Data Controller which arise directly or in connection with the Data Processors or sub-processors data processing activities under this Agreement.

14. The Data Processor agrees that in the event that it is notified by the Data Controller that it is not required to provide any further services to the Data Controller under this Agreement, the Data Processor shall transfer a copy of all requested information (including personal data) held by it in relation to this Agreement to the Data Controller, and/or, at the Data Controller's request, destroy all such information using a secure method which ensures that it cannot be accessed by any third party and shall issue the Data Controller with a written confirmation of secure disposal.

15. All copyright, database right and other intellectual property rights in any personal data processed under this Agreement (including but not limited to any updates, amendments or adaptations to the personal data by either the Data Controller or the Data Processor) shall belong to the Data Controller. The Data Processor is licensed to use such data only for the term of and in accordance with this Agreement.

16. The Data Processor accepts the obligations in this Agreement in consideration of the Data Controller continuing to use its services.

17. This Agreement shall be governed by the laws of Ireland.

## **SCHEDULE 1 DESCRIPTION OF THE TRANSFER**

Data Subjects

**The Personal Data transferred concern the following categories of Data Subjects:**

- Students
- School Staff
- Parents

Purposes of the transfer(s)

**The transfer is made for the following purposes:**

- To carry out the terms of the Service Agreement



Categories of data

**The Personal Data transferred concern the following categories of data:**

- Personal Data and Sensitive Personal Data, including without limitation:
- Students: Names, addresses, dates of birth, PPS numbers, health information, information relating to family
- Parents: Names, contact details
- School Staff: Names, work email addresses.:

Recipients

**The Personal Data transferred may be disclosed only to the following recipients or categories of recipients:**

- Only those Aladdin staff who require access to the personal data to fulfil the terms of the Service Agreement.

Additional useful information:

Data will only be retained by Aladdin for as long as is required by law, or as long as is necessary to fulfil the terms of the Service Agreement, whichever is longer.

Contact points for data protection enquiries:

Data Protection Manager

dpm@aladdin.ie

This agreement was last updated on 25th April 2018



## **Gortnahoe N.S.**

### **Appendix 10**

### **The Safe Use of Photographs and Videos**

#### **Introduction**

This policy applies to the use of photographs in school publicity materials, on the school website and in the press.

This policy reflects the consensus of opinion of the Board of Management, Staff, Parent Association & Student Council of Gortnahoe N.S.

It was drawn up in a consultative process involving the Board of Management, Staff, Parent Association and Student Council of the School.

#### **Rationale**

This Policy was formulated following Board of Management approval for the development of a school website for Gortnahoe N.S..

This policy was formulated in accordance with current Data Protection Legislation and Child Protection Guidelines

When publishing images in school publicity materials, on the school website and in the press the school must comply with the requirements of:

- Data Protection (Amendment) Act 2003
- The Data Protection Act 1998
- Video Recordings Act 1989

#### **Relationship to the Characteristic**

Gortnahoe N.S. seeks to help the children to grow and develop into healthy, confident, mature adults, capable of realising their full potential.

We want our school to provide a safe, friendly, effective and stimulating educational environment where the principals of respect, truth, fairness and equality are promoted. It is based on respect for oneself and for others and for the world in which we live.

#### **Aims**

1. To add colour, life and interest to articles promoting school activities and initiatives.
2. To help parents and the local community to identify and celebrate the schools' achievements.
3. To increase pupil motivation and staff moral
4. To promote a sense of community spirit within the school
5. To ensure that the right to privacy of children, staff and parents is respected
6. To ensure that all photographs published are in keeping with the school Child Protection Policy
7. To ensure that all photographs published are in keeping with the Catholic ethos and philosophy of the school

#### **Guidelines for Taking Photographs**

- Staff are permitted to take digital/video images on equipment, to support educational aims e.g. for classroom displays or projects
- Photographs should be stored securely and used only by those authorised to do so
- Staff should ensure that image files are appropriately named and will not use students' names in image file names
- When taking digital/ video images teachers should ensure that the students are appropriately dressed and are not participating in activities that might bring the individual or the school into disrepute
- Digital images/ video images should not be manipulated or amended, for example, using a "cut & paste" facility. However it is acceptable to crop an image.
- Students must not take, use, share or publish images of others without consent



### **Guidelines for Publishing Photographs on the school website**

- School Authorities will seek the consent of parents regarding the use of pupil images on the School Website.
- A class record of parental consent/ non consent will be supplied to all class teachers in September of each year
- Parents may at any time withdraw their consent/ non consent for the use of pupil images and digital recordings in school publicity materials, on the school website and in the press. Any such request must be made in writing to the school Principal.
- Pictures to be published on the school's website, or elsewhere, which include pupils will be selected carefully and will comply with good practice guidance on image use
- When publishing digital images/ video images on the school website teachers should be mindful of the way pupils and staff may appear. Digital Images/ video images which are likely to cause embarrassment to a pupil or staff member, now or at a future date, should not be published on the school website.
- Pictures to be published on the school's website should try to focus on group activities, rather than photos of individual children.
- Personal details (including the name) of any child or adult in a photograph will not be used in association with the photograph (including in the accompanying text or the photograph caption).
- If the full name of a pupil is used in a text published on the school website, a photograph of that child will not be used to accompany the article.
- Where photographs are taken at an event attended by a large crowd e.g. during the St. Patrick's Day Parade or at a sporting event, this is regarded as a public area so it is not necessary to get the permission of everyone in a crowd shot before publishing the image on the school website

### **Guidelines for Taking Photographs at School Events**

It is up to school management to decide if they are to allow videos or photographs to be taken by parents during school events such as School Concerts or Award Ceremonies.

Parents are not required to comply with the Data Protection Act when taking photographs of their children, for their own private use, at an organised event.

When hosting a school event where parents are permitted to take photographs or videos the school will;

- Make it clear that any images taken must be for private use only
- Inform parents that Data Protection legislation may be contravened if photographs or videos taken at a school event are placed on the internet

An announcement will be made at the start of events to provide guidance for parents.

### **Guidelines for taking photographs at events hosted by a third party.**

When an event is hosted by a third party, e.g. an Taisce (Green Schools) or Cumann na mBunscoil (sporting events) it is up to the host (An Taisce or Cumann na mBunscoil) to decide if they wish to allow parents to take videos or photographs at the event.

The organisers of the event (eg. An Taisce or Cumann na mBunscoil) should explain to parents and/or staff how images taken by the organisers are to be processed, the purpose for which they will be used, and to get any necessary consent e.g. permission to publish images on the An Taisce Website.



### **Images taken on behalf of the school**

On occasion, official commercial video films of children may be recorded e.g. videos of school concerts. The school also arranges for a professional photographer to take class photographs and individual pupil photographs.

Where a commercial photographer is used, the following guidelines apply;

- Commercial video films may only be recorded or professional pupil photographs taken with the permission of the School Board of Management.
- Commercial photographers will be required to comply with Data Protection Legislation.
- The school will inform parents that a commercial photographer will be in attendance in school or at an event
- The school will inform parents of the purpose of taking the commercial digital/ video images and how the digital/ video images will be used.
- The school will ensure that pupils are fully supervised by a teacher at all times while the commercial/ professional photographer is present.

### **The Press**

The use of photographs in newspapers and magazines is already subject to strict guidelines through the Code of Practice of the Press Council of Ireland.

- Press photographers should get the permission of the school principal before approaching pupils in the school to take photographs.
- The school will ensure that pupils are fully supervised by a teacher while a press photographer is present.
- The Press is exempt from the Data Protection Act, but they have to consider parental wishes if they are allowed to take photographs from which a child can be identified.
- Gortnahoe N.S. will seek parental consent before providing names of children to accompany photographs published in newspapers and magazines.

### **Re-use of Images**

- Photographs or videos published on school publicity material and/or the school website may not be copied and/or re-used by staff, parents or others for any purpose other than that for which they were intended without consent.
- Data Protection legislation may be contravened if photographs or videos published on school publicity material and/or the school website are copied and/or re-published for any purpose other than that for which they were intended without consent.

### **Concerns**

If parents have any concerns about inappropriate or intrusive photography at a school event they should report their concerns to the School Principal (or to a Staff member if the Principal is not present)

If a parent or child, wishes to have a photograph removed from the school website, prospectus etc. at any time, they should contact the school Principal.

When a press image has been captured the data controller for that image is the media concerned and not the school. Therefore parents will need to make any objections to that organisation and not the school.

Concerns regarding a breach of Data Protection Legislation should be reported to the Data Protection Commissioner.



**Success Criteria**

1. Photographs are published in school publicity materials, on the school website and in the press in accordance with this policy
2. Parent Consent forms are collected and retained in individual pupil files
3. The aims set out will be fulfilled
4. Positive feedback will be received from pupils, staff members, parents and the wider community.

**Timeframe for the Implementation of the Policy**

A discussion document was presented to the Board of Management in March 2015 and the policy was ratified on 21<sup>st</sup> April 2015

**Timeframe for Review**

This policy will be reviewed six months of the launch date and every three years thereafter.

**Responsibility for Review**

- Website co-ordinator
- School Principal

**Review**

This policy will be reviewed six months from the launch date of the website and every three years thereafter.

**Communication**

Copies of the policy will be distributed to the parents of all pupils currently enrolled in the school and thereafter this policy will be circulated as part of the enrolment information pack.

The policy will be made available to parents on the school website and copies will be made available to parents at any time on request

**Ratification**

This policy was ratified by the Board of Management on

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Principal

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