



# Data Protection GDPR Policy & Audit

Holy Cross School

*(See from page 7 for Data Audit)*

## Introductory Statement

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

Holy Cross School 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 Board of Management (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 schools. 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.



## **2. Consent**

Where consent is the basis for provision of personal data, (e.g. data required to join sports team/ 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. Holy Cross 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

## **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 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 password-protected.

- Staff laptops are encrypted with ESET Encryption software
- Access to the Schools Administration Software (Aladdin) is password protected.
- All visitor access to school will be via main entrance and visitors must report to the admin office.
- Classroom doors will be kept locked outside school hours.

## **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 Data Audit for school data 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 a copy of personal data held about them, by whom, and the purpose for which it is held.

## **INFORMATION COLLECTED c.f. Data Audit**

### **Purpose and legal basis for collection and processing information**

Holy Cross School collects and processes personal information (as listed in the Data Audit) about pupils and parents / guardians for a variety of purposes and relies on a number of legal grounds to do so. Holy Cross School requires this information to perform our duties and responsibilities and to comply with our legal and statutory obligations. In addition, Holy Cross School requires this personal information to pursue the legitimate interests of the school and our dealings with relevant third parties (see below). The legitimate interests upon which we rely is the effective operation and management of Holy Cross School and managing the education and welfare needs of our pupils. Holy Cross School processes personal data on the basis of the following lawful purposes:

#### **1. Legal Obligation**

Holy Cross School collects and process personal information to comply with our legal and statutory obligations, including, but not limited to those under the Education Act 1998 (as Amended), the Education (Welfare) Act 2000, the Education for Persons with Special Needs (EPSN) Act 2004, the Health Act 1947, the Children First Act 2015, the Child Protection Procedures for Primary and Post-Primary Schools 2017, the Teaching Council Acts 2001-2015 and Safety Health and Welfare at Work legislation



## **2. Legitimate Interests**

Holy Cross School also process personal information to:

- Enable pupils to develop to their full potential and meet the educational, social, physical and emotional requirements of the pupil,
- Enable parents and guardians to be contacted in the case of emergency, school closures and to inform parents and guardians of their child's educational progress,
- Secure and benefit from the support and services of relevant third parties.

## **3. Consent**

Holy Cross School sometimes process some of pupils' personal information with consent e.g. photograph which may be displayed on the school's website or on social media platforms or in the print media. Please note that consent can be withdrawn at any time by contacting the school.

## **HOW PERSONAL INFORMATION IS COLLECTED**

### **1. Pupils**

Holy Cross School collects personal information about pupils through the enrolment process and/or through expressions of interest in relation to enrolment. Additional information is collected from third parties, including former schools and through school activities and general interaction(s) during the course of the pupil's time at Holy Cross School.

### **2. Parents and Guardians**

Holy Cross School collects personal information about parents and guardians through the enrolment process or expressions of interest for enrolment. We collect additional personal information through general interaction during the course of the pupil's time at school.

## **INFORMATION AND THIRD PARTIES**

Holy Cross School may receive from, share and/or transfer information to a range of third parties such as the following:

- The Department of Education and Skills
- TUSLA / the Child and Family Agency
- The National Council for Special Education
- National Educational Psychological Service (NEPS)
- Department of Social Protection and/or other state benefit providers
- An Garda Síochána
- School Insurance Provider
- Third Party Service Providers: We may share personal information with third party service providers that perform services and functions at our direction and on our behalf such as our accountants, IT service providers including, printers, lawyers and other advisors, and providers



of security and administrative services, including data processing / cloud storage service providers e.g. Aladdin.

## **DATA RETENTION**

We will only retain personal information for as long as it is necessary to fulfil the purposes the information was collected for, including any legal, accounting or reporting requirements.

See Data Audit for school data retention table.

## **TRANSFER OF PERSONAL INFORMATION OUTSIDE THE EUROPEAN UNION**

In the event that personal data may be transferred outside the European Economic Area (EEA) Holy Cross School will ensure that any such transfer, and any subsequent processing, is carried out in strict compliance with recognised safeguards or derogations (i.e., those approved by the Irish Data Protection Commission).

## **INDIVIDUAL RIGHTS**

Individuals have several rights under GDPR which in certain circumstances are limited and/or constrained. These individual rights include the right – free of charge and subject to any limitations as may apply – to:

- Request a copy of the personal information held about the individual;
- Rectify any inaccurate personal data held about the individual;
- Erase personal information held about the individual;
- Restrict the processing of individual personal information;
- Object to the use of individual personal information for our legitimate interests;
- Receive individual personal information in a structured commonly used and machine-readable format and to have that data transmitted to another data controller.

If you wish to exercise any of these rights please contact us at the school at this dedicated email address:

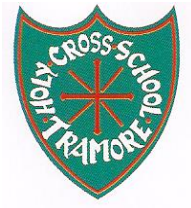
[hcdataprotection@gmail.com](mailto:hcdataprotection@gmail.com)

Holy Cross School will endeavour to respond to your request within a month. If we are unable to deal with your request within a month we may extend this period by a further two months and we will explain why.

You also have the right to lodge a complaint to the office of the Data Protection Commission.

## **Updates**

We will update this data protection statement from time to time. Any updates will be made available and, where appropriate notified to you.



### **Implementation arrangements, roles and responsibilities**

The BOM is the data controller and the Principal / Deputy 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:

- |                          |   |
|--------------------------|---|
| Board of Management:     | Data Controller                             |
| Principal:               | Implementation of Policy                    |
| All Staff:               | Adherence to the Data Processing Principles |
| Entire School Community: | Awareness and Respect for all Personal Data |

### **Monitoring the implementation of the policy**

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

Signed: \_\_\_\_\_  
(Chairperson of Board of Management)

Signed \_\_\_\_\_  
(Principal)

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

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

Data Audit next page →



# DATA AUDIT

## **The purpose of a Data Audit is to ascertain exactly**

- what personal data the BoM as Data Controller has
- the legal basis for processing that data
- where it is stored
- how long it is retained
- who it shares the data with

## **Once completed, the Data Controller will be in a position**

- to provide information in relation Data Access Requests
- produce a Document Audit Trail – understand how information flows through the school system i.e.
  - how it is collected, where it is used – offices, classrooms, etc.
  - what forms it is in – electronic, paper
  - copies – are there multiple copies of the data and are they all accounted for
  - who has access to it
  - where it ends up – stored for a medium or long term or safely disposed of
  - how data is safely disposed of – shredded, incinerated, etc.
- to assess the extent and degree of risk of any Data Breach which might occur
- to assess how safe the data is in its current storage location and to improve this if required assess where there are weaknesses in the school's Data Protection procedures and remedy them by updating policies, protocols or procedures as required.



Data Item	How Collected	Legal basis for collection:	Where Stored	Physical Locations	Shared with	Retention period
<b>Pupil Personal Data</b> Name Sex Address DoB PPSN	Enrolment Form	Necessity in the public interest	<ul style="list-style-type: none"> <li>• Enrolment Form</li> <li>• Class Lists</li> <li>• School Admin. software: Aladdin</li> <li>• Office Filing</li> <li>• Class Filing</li> <li>• Office Computer</li> <li>• Class Computer</li> <li>• DES POD</li> </ul>	<ul style="list-style-type: none"> <li>• School Office</li> <li>• Principal's Office</li> <li>• Deputy Principal's Office</li> <li>• Classrooms</li> <li>• Long term storage eg Attic/Admin Offices/Aladdin</li> </ul>	<ul style="list-style-type: none"> <li>• DES</li> <li>• HSE</li> <li>• Dept Social Protection</li> </ul>	Indefinite on Roll Book
<b>Pupil Special Category Data:-</b>  Religion: Asked if Catholic.	Enrolment Form	Consent	<ul style="list-style-type: none"> <li>• Enrolment Form</li> <li>• School Administration software: Aladdin</li> <li>• Office Filing</li> <li>• Office Computer</li> <li>• Class Computer</li> <li>• DES POD</li> </ul>	<ul style="list-style-type: none"> <li>• School Office</li> <li>• Principal's Office</li> <li>• Deputy Principal's Office</li> <li>• Classrooms</li> <li>• Long term storage eg Attic/Admin Offices/Aladdin</li> </ul>	DES on consent	25 years on Enrolment Form





Data Item	How Collected	Legal basis for collection:	Where Stored	Physical Locations	Shared with	Retention period
<b>Parental Data:-</b> Name Address Phone Nos e-mail	Enrolment Form	Necessity in the public interest AND Protection of vital interest of the subject	<ul style="list-style-type: none"> <li>Enrolment Form</li> <li>Register</li> <li>School Administration software: Aladdin</li> <li>Office Filing</li> <li>Office Computer</li> <li>Class Computer</li> </ul>	<ul style="list-style-type: none"> <li>School Office</li> <li>Principal's Office</li> <li>Deputy Principal's Office</li> <li>Classrooms Long term storage eg Attic/Admin Offices/Aladdin</li> </ul>	<ul style="list-style-type: none"> <li>DES</li> <li>HSE</li> <li>Dept Social Protection</li> </ul>	Indefinite on Register
<b>Teacher Data:-</b> Name Address Phone Nos e-mail Application Form CV Seniority list Details regarding promotions	<ul style="list-style-type: none"> <li>Recruitment Process</li> <li>Annual Update</li> </ul>	Necessity in the public interest AND Contract	<ul style="list-style-type: none"> <li>School Administration software: Aladdin</li> <li>Office Filing</li> <li>Office Computer</li> <li>Principal's computer</li> <li>Deputy Principal's computer</li> </ul>	<ul style="list-style-type: none"> <li>School Office</li> <li>Principal's Office</li> <li>Deputy Principals' Office?</li> <li>Long term storage eg Attic/Admin Offices/Aladdin</li> </ul>	DES	Duration of the Teacher's employment + 7 years
<b>BoM Members</b> Name Address Phone Nos e-mail	BoM Appointment Process	Necessity in the public interest	<ul style="list-style-type: none"> <li>Office Filing</li> <li>Office Computer</li> </ul>	<ul style="list-style-type: none"> <li>School Office</li> <li>Principal's Office</li> <li>Long term storage eg Attic/Admin Offices/Aladdin</li> </ul>	<ul style="list-style-type: none"> <li>DES</li> <li>Patron</li> <li>Charities Regulator</li> </ul>	Indefinite on BoM Minutes



Data Item	How Collected	Legal basis for collection:	Where Stored	Physical Locations	Shared with	Retention period
<b>Service providers: (Repairs; builders; maintenance; contractors;)</b> Name Address Phone Nos e-mail PPSN Tax Clearance Certs	<ul style="list-style-type: none"> <li>When seeking tenders</li> <li>Given willingly by contractors</li> </ul>	Contract AND Protection of the vital interests of the subject.	<ul style="list-style-type: none"> <li>Office Filing</li> <li>Office Computer</li> <li>Principal's / Deputy Principal's phone</li> </ul>	<ul style="list-style-type: none"> <li>School Office</li> <li>Principal's Office</li> <li>Long term storage eg Attic/Admin Offices/Aladdin</li> </ul>	<ul style="list-style-type: none"> <li>BoM</li> <li>Other Tradespeople – with connected activities</li> </ul>	While the Service provider (e.g. Electrician) is being employed by the BoM
<b>Individual Pupil Assessment and Report carried out by third party professional (e.g. psychologist; Occupational therapist; psychiatrist; Speech and Language therapist)</b>	Parents and school staff	Necessity in the public interest	<ul style="list-style-type: none"> <li>Office Filing</li> <li>SEN Filing</li> </ul>	<ul style="list-style-type: none"> <li>School Office</li> <li>SEN filing cabinet</li> </ul>	<ul style="list-style-type: none"> <li>DES</li> <li>NCSE</li> <li>Other schools to where pupils transfer</li> </ul>	Indefinitely
<b>School Supplies Company Reps</b> Name Address Phone Nos e-mail	Given willingly by companies	Contract	<ul style="list-style-type: none"> <li>Office Filing</li> <li>Office Computer</li> </ul>	<ul style="list-style-type: none"> <li>School Office</li> <li>Principal's / Deputy Principal Office</li> <li>Classrooms</li> </ul>	<ul style="list-style-type: none"> <li>Staff</li> <li>BoM</li> <li>Parents' Council</li> </ul>	While that Company / Rep is being employed by the BoM
<b>Data Processor:-</b> (e.g. School Administration software; School accounting; School photographs/videos ) Name Address Phone Nos e-mail	Given willingly by Data Processor	Contract AND Consent	<ul style="list-style-type: none"> <li>Office Filing</li> <li>Office Computer</li> </ul>	<ul style="list-style-type: none"> <li>School Computer System.</li> </ul>	<ul style="list-style-type: none"> <li>BoM</li> <li>Staff</li> </ul>	For as long as the Data involved is being processed on behalf of the BoM



Data Item	How Collected	Legal basis for collection:	Where Stored	Physical Locations	Shared with	Retention period
<b>CCTV Records</b>	Security cameras	Security of the school's premises and assets.	<ul style="list-style-type: none"> <li>Digitally: hard-disk</li> </ul>	<ul style="list-style-type: none"> <li>Outdoors: exterior building perimeter.</li> </ul>	<ul style="list-style-type: none"> <li>BOM</li> <li>An Garda Síochána in the investigation of a criminal matter.</li> </ul>	No longer than 30 days
<b>Emergency Services:- Local Doctor</b> Name Address Phone No e-mails	Given willingly by arrangement	Protection of the vital interests of the subject	<ul style="list-style-type: none"> <li>Office Filing</li> <li>Office Computer</li> </ul>	<ul style="list-style-type: none"> <li>School Office</li> <li>Principal's Office</li> <li>Deputy Principal's Office</li> <li>Classrooms</li> </ul>	<ul style="list-style-type: none"> <li>BoM</li> <li>All Staff</li> </ul>	For as long as they are being used as for emergency Medical Assistance by the school
<b>Pupils' school work; Yearly Assessments and Reports</b>	Part of the work and purpose of the school	Necessity in the public interest	<ul style="list-style-type: none"> <li>Office Filing</li> <li>Office Computer</li> <li>School Administration software: Aladdin</li> </ul>	<ul style="list-style-type: none"> <li>School Office</li> <li>Principal's Office</li> <li>Deputy Principal's Office</li> <li>Classrooms</li> <li>Long term storage eg Attic/Admin Offices/ Aladdin</li> </ul>	<ul style="list-style-type: none"> <li>Parents</li> <li>Pupils</li> <li>DES</li> <li>NCSE</li> <li>Other schools to where pupils transfer</li> </ul>	Until pupil attains 25 years of age
<b>Pupils' accident reports</b>	Recorded at time of accident	Compliance with a legal obligation	<ul style="list-style-type: none"> <li>Principal's Office</li> </ul>	<ul style="list-style-type: none"> <li>Principal's Office</li> </ul>	<ul style="list-style-type: none"> <li>Parents</li> <li>Medical Personnel</li> <li>School insurers</li> <li>Health and Safety Authority. Medical emergency personnel when necessary</li> </ul>	Indefinitely



Data Item	How Collected	Legal basis for collection:	Where Stored	Physical Locations	Shared with	Retention period
<b>Pupils' notes under Children First</b>	Recorded at time of concern	Compliance with a legal obligation	Principal's Office Filing cabinet	Principal's office filing cabinet.	<ul style="list-style-type: none"> <li>• Tusla</li> <li>• Gardaí</li> <li>• Parents</li> </ul>	Indefinitely
<b>Pupils' School attendance records</b>	Recorded daily in School Administration software: Aladdin	Compliance with a legal obligation	<ul style="list-style-type: none"> <li>• School Administration software: Aladdin</li> <li>• Office Filing</li> <li>• Office Computer</li> </ul>	<ul style="list-style-type: none"> <li>• School Office</li> <li>• Principal's Office</li> <li>• Deputy Principal's Office</li> <li>• Classrooms</li> <li>• Long term storage eg Attic/Admin Offices/Aladdin</li> </ul>	<ul style="list-style-type: none"> <li>• Tusla</li> <li>• Parents</li> <li>• DES</li> </ul>	Until pupil attains 25 years of age Roll Books are stored indefinitely
<b>Pupils' Medical details and details regarding any special condition</b>	At enrolment or as soon as details are known.	Protection of the vital interests of the subject	<ul style="list-style-type: none"> <li>• Office Filing</li> <li>• Office Computer</li> <li>• School Administration software: Aladdin</li> </ul>	<ul style="list-style-type: none"> <li>• School Office</li> <li>• Principal's Office</li> <li>• Classrooms, as necessary.</li> </ul>	<ul style="list-style-type: none"> <li>• School staff</li> <li>• NCSE</li> <li>• Medical emergency personnel when necessary</li> </ul>	Until pupil attains 25 years of age.
<b>Staff members' accidents reports</b>	Recorded at time of accident	Compliance with a legal obligation	<ul style="list-style-type: none"> <li>• Office Filing</li> </ul>	<ul style="list-style-type: none"> <li>• School Office</li> <li>• Principal's Office</li> </ul>	<ul style="list-style-type: none"> <li>• Medical Personnel</li> <li>• School insurers</li> <li>• HSA</li> <li>• Medical emergency personnel when necessary</li> </ul>	Indefinitely



Data Item	How Collected	Legal basis for collection:	Where Stored	Physical Locations	Shared with	Retention period
<b>Staff Medical details, Medical Certs and details regarding any special condition</b>  <b>Staff and Volunteers' vetting disclosures</b>	From staff members, medical personnel and Medmark  Vetting Bureau	Compliance with a legal obligation AND Contract Compliance with a legal obligation AND Contract	<ul style="list-style-type: none"> <li>Office Filing</li> <li>Office Computer</li> </ul>	<ul style="list-style-type: none"> <li>School Office</li> <li>Principal's Office / Deputy Principal's Office</li> </ul>	<ul style="list-style-type: none"> <li>DES</li> <li>BoM</li> </ul>	Duration of the Staff member's employment + 7 years

<b>Correspondence between parents and Teachers in relation to educational matters</b>	From Parents and Staff	Necessity in the public interest – provision of education	<ul style="list-style-type: none"> <li>Classroom Filing</li> <li>Office Filing</li> </ul>	<ul style="list-style-type: none"> <li>Classroom</li> <li>Office</li> <li>Principal's Office</li> <li>Deputy Principal's Office</li> </ul>	<ul style="list-style-type: none"> <li>Principal</li> <li>BoM</li> </ul>	Until the issue is dealt with
<b>Records of complaints made by parents/guardians</b>	From Parents / Guardians	To comply with Complaints Procedure	<ul style="list-style-type: none"> <li>Classroom Filing</li> <li>Principal's Filing</li> <li>Deputy Principal's filing</li> </ul>	<ul style="list-style-type: none"> <li>Classrooms</li> <li>Principal's Office</li> <li>Deputy Principal's Office</li> </ul>	<ul style="list-style-type: none"> <li>Principal</li> <li>BoM</li> <li>Insurance Company</li> <li>Legal Advisor</li> </ul>	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
<b>Pupils' Individual Education Plans (I.E.P.s)</b>	Parents, teachers, additional professional staff who assess the pupil	Necessity in the public interest	<ul style="list-style-type: none"> <li>SEN filing cabinet</li> <li>Teachers' files</li> <li>SEN computers</li> </ul>	<ul style="list-style-type: none"> <li>School Office</li> <li>Principal's Office</li> <li>Deputy Principal's Office</li> <li>Classrooms</li> </ul>	<ul style="list-style-type: none"> <li>Pupils</li> <li>Teachers</li> <li>Parents</li> <li>NCSE</li> <li>DES</li> </ul>	Indefinitely