

# **Data Protection/Record Retention Policy**

## **Introduction**

This policy was formulated and approved by the staff, Parent Teacher Association and the Board of Management of Guardian Angels' NS. The purpose of the policy is to identify the records required to be retained by the school and to ensure confidentiality and manageable procedures in relation to access to such records by parents, stakeholders and outside agencies.

## **Rationale**

- A policy on data protection and retention is necessary to ensure that the school has proper procedures in place to ensure accountability and transparency.
- It is good practice to record pupil progress so as to identify learning needs.
- A policy must be put in place to ensure a school complies with legalisation such as
  1. Education Act 1998, Section 9- requiring a school to provide access to records to students over 18/parents.
  2. Education Welfare Act 2000 requiring a school to report school attendance and the transfer of pupils.
  3. Data Protection Act 1998-2003

## **Aims/Objectives**

- a. To ensure the school complies with legislative requirements.
- b. To clarify the types of records maintained and the procedures relating to making them available to the relevant bodies.
- c. To put in place a proper recording and reporting framework on the educational progress of pupils.
- d. To establish clear guidelines on making these records available to parents and pupils over 18
- e. To stipulate the length of time records and reports will be retained.

## **Guidelines**

The Principal assumes the function of data controller and supervises the application of the Data Protection Act within the school. The data under the control of the principal comes under the following headings.

## **Personal Data**

This data relates to personal details of the students/staff such as name, address, date of birth, gender, medical details, dietary information, P.P.S. No., Parents and

Guardians details. These are kept in the Secretary's office, the Principal's office teacher filing cabinets, Aladdin Schools, and the Primary Online Data Base (POD).

### **Sensitive Data**

Ethnic origin, nationality, and religious beliefs

Personal and sensitive data are stored in Secretary's office, the Principal's Office, Aladdin Schools, and the Primary Online Data Base (POD).

#### **1. Details of all personal data which will be held, the format in which it will be held and the purpose(s) for collection the data in each case.**

The personal data records held by the school may include:

**Staff records:** These may include:

- Name, address and contact details, PPS number
- Original records of application and appointment
- Record of appointments to promoted posts
- Details of approved absences (career breaks, parental leave, study leave etc.)
- Details of work record (qualifications, classes taught, subjects etc.)
- Details of complaints and/or grievances including consultations or competency discussions, action/improvement/evaluation plans and record of progress.

**Note:** a record of grievances may be maintained which is distinct from and separate to individual personnel files.

Records will be kept manually within a filing system and on computer record (database) or both.

Purpose for keeping staff records may include: to facilitate the payment of staff, to facilitate pension payments in the future, a record of promotions made etc.

**Student records:** these may include:

- Information which may be sought and recorded at enrolment, including:
  - name, address and contact details, PPS number
  - names and addresses of parents/guardians and their contact details
  - religious belief
  - racial, ethnic or national origin
  - membership of the traveller community, where relevant
  - any relevant special conditions (e.g. special educational needs, health issues etc.) which may apply
- Information on previous academic records
- Psychological assessments
- Academic record-subjects studied, class assignments, examination results as recorded on official school reports
- Records of significant achievements
- Records of disciplinary issues and/or sanctions imposed
- Other records e.g. records of any serious injuries/accidents etc.
- Aladdin Schools
- Athletics

Pupil records will be kept manually within a filing system and on computer record (database) or both.

Purpose for keeping student records may include: to enable each student to develop 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 parent/guardians to be contacted in the case of emergency etc.

**Board of Management records:** these may include:

- Name, address and contact details of each member of the board of management
- Records in relation to appointments to the board
- Minutes of board of management meetings and correspondence to the board this may include references to particular individuals.

Records will be kept manually within a filing system and on computer record (database) or both.

Purpose for keeping board of management records may include: a record of board appointments, documenting decisions made by the board etc.

### **Administrative Data**

- Attendance Reports, Registers.
- Accident Report Book
- Administration of Medicines Indemnity Form.
- POD-Primary Online Data Base
- Aladdin Schools data base Athletics

### **Access to Records**

The following will have access where relevant and appropriate to the data listed above.

- Parents/Guardians.
- Past Pupils over 18.
- Tusla-Child and Family Agency
- Designated School Personnel.
- Department of Education and Skills.

- First and Second level schools (where relevant). An Education passport is provided to all schools receiving 6<sup>th</sup> class pupils at the end of their time in the school.

A parental authorisation form must be completed by parents in the event of data being transferred to outside agencies such as health professionals etc.

Outside agencies requesting access to records must do so in writing giving seven days notice. Parents/Guardians can make such a request either by phone or in writing.

A standardised school report form is used and is issued by post in late June.

### **Storage**

Records are kept for a minimum of 7 years. Standardised Tests Booklets are shredded after one year but the raw score, stens and percentiles are kept on record until past pupils reach 25 years of age.

Pupil Profiles are held on Aladdin schools and on the POD system. Child protection files are held by the DLP.

All completed school roll books are stored in a strong room. Access to these stored files is restricted to authorised personnel only. For computerised records, systems are password protected.

### **Success Criteria**

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

### **Roles and Responsibilities**

The whole school staff, under the direction of the Data controller will implement and monitor this policy. Individual teachers will design, administer and record all in-class testing. The Principal will ensure records are maintained and stored, particularly the records of students transferring to another school.

### **The eight rules of data protection**

All personal data records held by the school are obtained, processed, used and retained in accordance with the following eight rules of data protection (based on the Data Protection Acts):

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.

**Data protection policy and its implications will be considered in the review of**

The following policies:

- Child Protection Policy
- Admission policy
- Anti-Bullying Policy
- Code of Behaviour

### **References**

**Data Protection Commission website**

**Education Act S 9.(g) 1998**

**Education Welfare Act s.20,21, 28 2000.**

**Data Protection Acts 1998- 2003.**

**Freedom of Information Act 1997**

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## RETENTION SCHEDULE

PUPILS		RETENTION PERIODS
(1)	School Register / Roll Books	Indefinitely
(2)	Enrolment Forms	Hold until Pupil is 25 Years
(3)	Disciplinary notes	Never Destroy
(4)	Test Results – Standardised	Hold until pupil is 25 Years
(5)	Psychological Assessments etc	Never Destroy
(6)	SEN Files /IEPS	Never Destroy
(7)	Accident Reports	Never Destroy
(8)	Child Protection Reports/Records	Never Destroy
(9)	S.29 Appeals	Never Destroy
INTERVIEW RECORDS FOR STAFF		RETENTION PERIODS
Interview Board + Marking Scheme + Board of Management notes (for unsuccessful candidates)		18 months from close of competition plus 6 months in case Equality Tribunal need to inform school that a claim is taken
STAFF RECORDS		RETENTION PERIODS
Contract of Employment, teaching Council Registration, Vetting Records etc		Retention for duration of employment + 7 years
Accident / Injury at work Reports		(6 years to make a claim against the school plus 1 yr for proceedings to be served on school)

BOM Agenda and Minutes	Indefinitely
CC TV Recordings	28 days normally. In 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 Account	Retain for 7 Years

### **Holding Pupil Records until he/she has reached the age of 25 years.**

Why in certain circumstances does the Data Protection Commission recommend the holding of records until the former pupil has attained 25 years of age? 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.

### **Review and Evaluation**

This policy will be reviewed from time to time. Ongoing review will take cognizance of changing information or guidelines (e.g. from the Data Protection Commissioner, An Garda Síochána, Department of Education and Skills, national management bodies, legislation and feedback from parents/guardians, pupils, staff and others.

The policy will come into effect on the date that is approved and adopted by the Board of Management. Implementation of this policy will be monitored by the Principal of the School.

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

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