

SACRED HEART OF JESUS NS

DATA PROTECTION POLICY

INTRODUCTORY STATEMENT

The following Data Protection Policy applies to the *personal data* held by the Board of Management (BOM) of Sacred Heart of Jesus National School (Scoil An Chroí Ró Naofa Íosa), which is protected by the Data Protection Acts 1988 to 2018 and the EU General Data Protection Regulation (GDPR).

The policy applies to all school staff, the Board of Management, parents/guardians, pupils and others (including prospective or potential pupils, 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.

Sacred Heart of Jesus National 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. 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, pupils, 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 pupils 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 pupils, etc.), this 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 data protection legislation and the terms of this Data Protection Policy, and 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 will be a freely-given, specific, informed and unambiguous indication of the data subject’s wishes. Sacred Heart of Jesus National 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 will be 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 password-protected.

6. Keep Personal Data accurate, complete and up-to-date

Pupils, 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 will not be altered or destroyed without proper authorisation, verbal or otherwise. If alteration/correction is required, except in the case of minor alterations e.g. change of phone number, change of address etc. then a note of the fact of such authorisation and the alteration(s) to be made to any original record/documentation will 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

The school will comply with Department of Education & Skills (DES) guidelines on the timeframe for storage of personal data relating to a pupil (*please refer to Appendix A: Data Retention Table*). 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.

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. This can be done by submitting a Data Access Request Form (*please refer to Appendix B: Data Access Request Form*) to the Chairperson of the BOM.

POLICY 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, pupils and their parents/guardians how their data will be treated.

The policy applies to all school staff, the Board of Management, parents/guardians, pupils and others (including prospective or potential pupils 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 refers to performing any operation or set of operations on data, including:

- Obtaining, recording or keeping the data;
- Collecting, organising, storing, altering or adapting the data;
- 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 refers to a person who processes personal information on behalf of a data controller, but **does not include an employee of a data controller** who processes such data in the course of their employment, for example, this might mean an employee of an organisation to which the data controller out-sources work. The Data Protection legislation places responsibilities on such entities in relation to their processing of the data e.g. Aladdin, school accounting processors, HSE, Dept. of Social Welfare, TUSLA etc.

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

- racial or ethnic origin;
- political opinions or religious or philosophical beliefs;
- physical or mental health;
- sexual life and sexual orientation;
- genetic and biometric data;
- criminal convictions or the alleged commission of an offence;
- trade union membership.

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

POLICY 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/or 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 e.g.

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

Under **Section 20 of the Education (Welfare) Act, 2000**, the school must maintain a register of all pupils attending the school.

Under **Section 20(5) of the Education (Welfare) Act, 2000**, a Principal is obliged to notify certain information relating to the pupil's attendance in school and other matters relating to the pupil's educational progress to the Principal of another school to which a pupil is transferring. Sacred Heart of Jesus National School hand delivers or sends by post a copy of a pupil's Educational Passport, as provided by the National Council for Curriculum and Assessment (NCCA), 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 staff of our school, 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 pupils 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 (DES, TUSLA (Child & Family Agency), the National Council for Special Education (NCCA) 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 NCCA (and its employees, which would include Special Educational Needs Organisers (SENOs)) such information as the Council may from time to time reasonably request.

The **Freedom of Information Act 1997** provides a qualified right to access to information held by public bodies which does not necessarily have to be "personal data", as with data protection legislation. While 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 DES) 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, a hearing or sight inspection.

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

RELATIONSHIP TO CHARACTERISTIC SPIRIT OF THE SCHOOL:

Sacred Heart of Jesus National School seeks to:

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

We aim to achieve these goals while respecting the privacy and data protection rights of pupils, 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 (manual and digital) held by the school (on-site and off-site) **may** include:

1. Staff Records

a) 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 under probation. 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.

b) 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 DES, the Revenue Commissioners, the NCCA, TUSLA, the HSE, and any other governmental, statutory and/or regulatory departments and/or agencies;
- and for compliance with legislation relevant to the school.

c) *Location and Security Procedures of Sacred Heart of Jesus National School:*

The school has a monitored Closed Circuit Television (CCTV) system (*please refer to Appendix C: Closed Circuit Television Policy*) and a monitored burglar alarm activated during out-of-school hours.

- a. Manual records are kept in a secure, locked filing cabinet in a locked administration 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.
- b. Digital records are stored on password protected computers and also on the Aladdin school administration cloudware platform. The school has a GDPR compliant 3rd Party Service Agreement in place with *Cloudware Ltd. t/a Aladdin Schools* who use 128 bit SSL encryption and firewall software on their platform. Access to data is restricted firmly to those who need to have access to it.

2. Pupil Records

a) *Categories of Pupil Data:*

These may include:

- Information which may be sought and recorded at enrolment and may be collated and compiled during the course of the pupil's time in the school. These records may include:
 - name, address and contact details, PPS number;
 - date and country 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;
 - 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, references, assessments and other records from any previous school(s) attended by the pupil).
- Psychological, psychiatric and/or medical assessments.
- Attendance records.
- Academic record – subjects studied, class assignments, test 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 Children First Act 2015.

b) *Purposes: The Purposes for Keeping Pupil Records include:*

- to enable each pupil to develop to his/her full potential;
- to comply with legislative or administrative requirements;
- to ensure that eligible pupils 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/guardians of their child's educational progress, school events, etc.
- to meet the educational, social, physical and emotional requirements of the pupil;

- photographs and recorded images of pupils are taken to complement pupils' profiles and 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' (please refer to Appendix D: School Website Privacy Statement);
- to ensure that the pupil meets the school's admission criteria;
- to ensure that pupils meet the minimum age requirement for attendance at Primary School;
- to ensure that any pupil seeking an exemption from Irish meets the criteria in order to obtain such an exemption from the BOM;
- to furnish documentation/information about the pupil to the DES, the NCCA, TUSLA, An Garda Síochána and other schools, etc. in compliance with law and directions issued by government departments;
- to furnish, when requested by the pupil (or their parents/guardians in the case of a pupil under 18 years) documentation/information/references to second-level educational institutions.

c) *Location and Security Procedures (as above).*

3. **Board of Management Records**

a) *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.

b) *Purposes:*

To enable the Board of Management to operate in accordance with the Education Act 1998 and other applicable legislation, including the Charities Act 2009, and to maintain a record of Board appointments and decisions.

c) *Location and Security Procedures (as above).*

4. **Other Records: Creditors**

a) *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

b) *Purposes:*

This information is required for routine management and administration of the school's financial affairs, including the payment of invoices, the compiling of annual financial accounts and complying with audits and investigations by the Revenue Commissioners.

c) *Location and Security procedures as (above).*

5. Other Records: Charity Tax-back Forms

a) 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.

b) Purposes:

Schools are entitled to avail of the scheme of tax relief for donations of money they receive. To claim the relief, the donor must complete a certificate (CHY2) and forward it to the school to allow it to claim the grossed up amount of tax associated with the donation. The information requested on the appropriate certificate is the parents' name, address, PPS number, tax rate, telephone number, signature and the gross amount of the donation. This is retained by the school in the event of audit by the Revenue Commissioners.

c) Location and Security procedures (as above)

CCTV IMAGES/RECORDINGS

CCTV is installed in Sacred Heart of Jesus National School as a safety and security measure for pupils, staff, parents/guardians and visitors to the school, and to safeguard school property and equipment (*please refer to Appendix D: Closed Circuit Television Policy*). Three cameras are installed externally; 1 camera outside the foyer monitoring the main entrance to the school; 1 camera on the roof the school monitoring the roof; and 1 camera on the back wall of the PE hall monitoring the back of the school. These CCTV systems may record images of staff, pupils and members of the public who visit the premises. The viewing station is in the main school administration office.

Access to images/recordings is restricted to members of the BOM, Principal, Deputy Principal, school secretary and caretaker. Recordings are retained for 28 days, except if required for the investigation of an incident. Images/recordings may be viewed or made available to An Garda Síochána pursuant to Data Protection Acts legislation.

TEST RESULTS

Sacred Heart of Jesus National School will hold data comprising test results, location and security procedures as above, in respect of its pupils. These may include class, mid-term, annual and continuous assessment results and the results of Standardised Tests. The main purpose for which these test results are held is to monitor a pupil's progress and to provide a sound basis for advising them and their parent(s)/guardian(s) with regard to educational attainment levels and recommendations for the future. The data may also be aggregated for statistical/reporting purposes, such as to compile test results tables. The data may be transferred to the DES, the NCCA and other schools to which pupils transfer.

LINKS TO OTHER POLICIES

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
- Library Policy
- Book-Rental Policy
- Critical Incident Policy
- Attendance Policy

PROCESSING IN LINE WITH A DATA SUBJECT'S RIGHTS

Data in Sacred Heart of Jesus National 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 is irrelevant.

Sacred Heart of Jesus National School will draw up a written *Third Party Data Service Agreement* with any (non-governmental statutory and/or regulatory departments and/or agencies) off-site data processors, e.g. Aladdin, specifying 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 any contract between the BOM and the data processor.

All incidents in which personal data have been put at risk will be reported to the Office of the Data Protection Commissioner within 72 hours. Where the personal data breach is likely to result in a high risk to the rights and freedoms of a data subject, the BOM will 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.

The BOM of Sacred Heart of Jesus National School asserts the right of a data subject to a copy of their personal data. This can be done by submitting a Data Access Request Form (*please refer to Appendix B: Data Access Request Form*) to the Chairperson of the BOM, c/o Sacred Heart of Jesus National School, Huntstown, Dublin 15. Requests will be responded to within one month. An extension to this time may be required over holiday periods. No fee will be charged except in exceptional circumstances where the requests are repetitive or manifestly unfounded or excessive. No personal data will be supplied relating to another individual apart from the data subject.

Every member of school staff dealing with telephone enquiries should be careful about disclosing any personal information held by the school over the phone. In particular, he/she should:

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

POLICY IMPLEMENTATION

The following school personnel have responsibility for implementing the Data Protection Policy:

Name	Responsibility
Board of Management:	Data Controller
Board of Management, Principal & School Staff:	Implementation of Policy

The implementation of the policy will be monitored by the BOM, Principal and staff, separately and collectively.

POLICY RATIFICATION & REVIEW

The Data Protection Policy was ratified by the BOM on 25th May 2018. The policy will be reviewed and evaluated after 2 years. On-going review and evaluation will take cognisance of changing legislation, guidelines, information or best practice, and feedback from parents/guardians, pupils, school staff and others. The policy will be revised as necessary in the light of such review and evaluation.

Signed:
For and Behalf of Board of Management

Date:

APPENDIX A: DATA RETENTION TABLE

Pupil Related	Retention Periods
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 Hold until pupil is 25 Years* Never Destroy Never Destroy Never Destroy Never Destroy Never Destroy
Interview Records	
Interview Board Marking Scheme Board of Management notes (for unsuccessful candidates)	18 months from close of competition + 6 months in case Equality Tribunal needs to inform school that a claim is being taken.
Staff Records	
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 + 1 year for proceedings to be served on school)
BOM Records	
BOM Agenda and Minutes CC TV Recordings Payroll & Taxation Invoices/receipts Audited Accounts	Indefinitely 28 days normally. In the event of criminal investigation – as long as is necessary Revenue require a 6-year period after the end of the tax year Retain for 7 Years Indefinitely
<p><i>*Note: A pupil reaches the age of majority (considered to be an adult) at 18 years. There is 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>	

APPENDIX B: 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 (if name used during your school duration):	
Address:	
Contact number: *	Email address: *

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

Please tick the box which applies to you:

Parent/ Guardian of current Pupil <input type="checkbox"/>	Former Pupil <input type="checkbox"/>	Current Staff Member <input type="checkbox"/>	Former Staff Member: <input type="checkbox"/>
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Name of Pupil:		Date of Birth of Pupil:	
Insert Year of Leaving:		Insert Years From/To:	

Data Access Request:

*I, [name] wish to make a **Data Access Request** for a copy of personal data that Sacred Heart of Jesus National School holds about me/my child. I am making this access request under Data Protection Acts 2013 to 2018.*

To help us 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 etc. Please also detail 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 **Data Access Request** must be accompanied with a copy of photographic identification, e.g. passport or driver's 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:

Chairperson,
Board of Management,
Sacred Heart of Jesus National School,
Huntstown,
Dublin 15.
Phone: (01) 8216400
Fax. (01) 8225045
E-Mail: sacredheartns@gmail.com
Website: www.sacredhearthuntstown.weebly.com

APPENDIX C: CLOSED CIRCUIT TELEVISION POLICY

INTRODUCTION

Closed Circuit Television (CCTV) is installed in Sacred Heart of Jesus National School. Three cameras are installed externally. The viewing station is in the main school administration office.

PURPOSE OF POLICY

The purpose of this policy is to regulate the use of CCTV and its associated technology in the monitoring of the external environs of the premises under the remit of the Board of Management (BOM) of Sacred Heart of Jesus National School.

CCTV systems are installed externally in the school grounds for the purpose of enhancing security of the building and its associated equipment as well as creating a mindfulness among the occupants, at any one time, that a surveillance security system is in operation in the external environs of the premises during both daylight and night hours. CCTV surveillance at the school is intended for the purposes of:

- protecting the school buildings and school assets, both during and after school hours;
- promoting the health and safety of pupils, staff, parents/guardians and visitors;
- reducing the incidence of crime and anti-social behaviour (including theft and vandalism);
- supporting the Gardaí in a bid to deter and detect crime; and
- assisting in identifying, apprehending and prosecuting offenders.

POLICY SCOPE

This policy relates directly to the location and use of CCTV in Sacred Heart of Jesus National School and the monitoring, recording and subsequent use of such recorded material.

GENERAL PRINCIPLES

The Board of Management of Sacred Heart of Jesus National School as the corporate body has a statutory responsibility for the protection of its property, equipment and other plant as well providing a sense of security to its pupils, employees, parents/guardians and invitees to its premises. The BOM owes a duty of care under the provisions of Safety, Health and Welfare at Work Act 2005 and associated legislation and utilises CCTV systems and their associated monitoring and recording equipment as an added mode of security and surveillance for the purpose of enhancing the quality of life of the school community by integrating the best practices governing the public and private surveillance of its premises.

The use of the CCTV system will be conducted in a professional, ethical and legal manner and any diversion of the use of CCTV security technologies for other purposes is prohibited by this policy.

Information obtained through the CCTV system may only be released when authorised by the Principal, following consultation with the Chairperson of the BOM. Any requests for CCTV recordings/images from An Garda Síochána will be fully documented.

CCTV monitoring of public areas for security purposes will be conducted in a manner consistent with all existing policies adopted by the school, including the provisions set down in equality and other educational and related legislation.

This policy prohibits monitoring based on the characteristics and classifications contained in equality and other related legislation, e.g. race, gender, sexual orientation, national origin, disability, etc.

Video monitoring of public areas for security purposes within the school premises is limited to uses that do not violate the individual's reasonable expectation to privacy.

All CCTV systems and associated equipment will be required to be compliant with this policy following its adoption by the BOM. Recognisable images captured by CCTV systems are personal data. They are therefore subject to the provisions of the Data Protection Acts 1988 to 2018.

JUSTIFICATION FOR USE OF CCTV

Data protection legislation requires that data is "adequate, relevant and not excessive" for the purpose for which it is collected. The use of CCTV to monitor the roof and perimeter of the school building for security purposes has been deemed to be justified by the BOM on the grounds that there is a proven risk to security and/or health & safety and that the installation of CCTV is proportionate in addressing such issues (damage to the roof, removal of lead from the roof and burglary) that have arisen prior to the installation of the system.

The system is intended to capture images of intruders or of individuals damaging property or removing goods without authorisation.

CCTV systems will not be used to monitor normal teacher/student classroom activity in school.

LOCATION OF CAMERAS

The BOM of Sacred Heart of Jesus National School has endeavoured to select locations for the installation of CCTV cameras which are least intrusive to protect the privacy of individuals. Three cameras are installed externally: 1 camera outside the foyer monitoring the main entrance to the school, 1 camera on the roof of the school monitoring the roof area and 1 camera on the back wall of the PE hall monitoring the back of the school. Cameras are positioned in such a way as to prevent or minimise recording of passers-by or of another person's private property.

COVERT SURVEILLANCE

The BOM of Sacred Heart of Jesus National School will not engage in covert surveillance. Where An Garda Síochána requests to carry out covert surveillance on school premises, such covert surveillance may require the consent of a judge. Accordingly, any such request made by An Garda Síochána will be requested in writing and the BOM will seek Data Protection Commissioner/legal advice.

NOTIFICATION – SIGNAGE

The Principal will provide a copy of this CCTV Policy on request to staff, pupils, parents/guardians and visitors to the school. This policy describes the purpose and location of CCTV monitoring, a contact number below for those wishing to discuss CCTV monitoring and guidelines for its use.

Signage will be placed at each location in which a CCTV camera is sited to indicate that CCTV is in operation. Signage will also be displayed at the entrances to the school. Signage shall include the name and contact details of the data controller as well as the specific purpose for which the CCTV system is in place.

DATA RETENTION

Data protection legislation states that data "shall not be kept for longer than is necessary for" the purposes for which it was obtained. Accordingly, the images captured by the CCTV system will be retained for a maximum of 28 days, except where the image identifies an issue and is retained specifically in the context of an investigation/prosecution of that issue.

DATA ACCESS

The images/recordings will be stored in a secure environment. Access will be restricted to authorised personnel on a need to know basis. In certain circumstances, the recordings may also be viewed by other individuals in order to achieve the objectives set out above (such individuals may include the Gardaí, the Deputy Principal, other members of the teaching staff, representatives of the Department of Education and Skills, representatives of the HSE and/or the parent/guardian of a recorded pupil). Such circumstances could entail viewing of recordings:

- by An Garda Síochána where the BOM (or its agents) are required by law to make a report regarding the commission of a suspected crime; or
- following a request by An Garda Síochána when a crime or suspected crime has taken place and/or when it is suspected that illegal/anti-social behaviour is taking place on school property;
- by the HSE and/or by any other statutory body charged with child safeguarding;

Other circumstances could entail providing data relating to the recordings:

- to data subjects (or their legal representatives), pursuant to a data access request;
- to individuals (or their legal representatives) subject to a court order;
- to the school's insurance company where the insurance company requires same in order to pursue a claim for damage done to the insured property.

Requests by An Garda Síochána

Information obtained through video monitoring will only be released when authorised by the Principal following consultation with the Chairperson of the BOM. If An Garda Síochána request CCTV images for a specific investigation, An Garda Síochána may require a warrant, and accordingly any such request made by An Garda Síochána must be made in writing. In such circumstances the BOM will seek legal advice.

Access Requests

The BOM of Sacred Heart of Jesus National School asserts the right of a data subject to a copy of their personal data including information obtained through video recording. This can be done by submitting a Data Access Request Form (available from the school secretary / Appendix B of Data Protection Policy) to the Chairperson of the BOM, c/o Sacred Heart of Jesus National School, Huntstown, Dublin 15. Requests will be responded to within one month. An extension to this time may be required over holiday periods. No fee will be charged except in exceptional circumstances where the requests are repetitive or manifestly unfounded or excessive. No personal data will be supplied relating to another individual apart from the data subject.

In giving a person a copy of their data, the BOM may provide a still/series of still pictures, a tape or a disk with relevant images. However, images of other individuals will be obscured before the data is released.

RESPONSIBILITIES

The BOM of Sacred Heart of Jesus National School will:

- ensure that the use of CCTV systems is implemented in accordance with the school's Closed Circuit Television Policy;
- oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within the school environs;
- ensure that all existing CCTV monitoring systems will be evaluated for compliance with this policy;

- ensure that the CCTV monitoring at the school is consistent with the highest standards and protections;
- review camera locations and be responsible for the release of any information or recorded CCTV materials stored in compliance with this policy;
- ensure that monitoring recorded tapes are not duplicated for release;
- ensure that the perimeter of view from fixed external location cameras conforms to this policy;
- give consideration to feedback from pupils, parents/guardians, visitors, neighbours and/or complaints regarding possible invasion of privacy or confidentiality due to the location of a particular CCTV camera or associated equipment;
- ensure that all areas being monitored are not in breach of an enhanced expectation of the privacy of individuals within the school and be mindful that no such infringement is likely to take place;
- ensure that external cameras are non-intrusive in terms of their positions and views of neighbouring residential housing and comply with the principle of “Reasonable Expectation of Privacy”;
- ensure that recordings are stored for a period not longer than 28 days and are then erased unless required as part of a criminal investigation or court proceedings (criminal or civil) or other bona fide use as approved by the BOM;
- ensure that camera control is solely to monitor suspicious behaviour, criminal damage etc. and not to monitor individual characteristics;
- ensure that where An Garda Síochána request to set up mobile video equipment for criminal investigations, Data Protection Commissioner/legal advice has been obtained.

SECURITY COMPANY

The school CCTV system is controlled by a security company contracted by the school BOM. The BOM has a written contract with the security company in place known as a *Third Party Service Agreement* which details the areas to be monitored, how long data is to be stored, what the security company may do with the data, what security standards should be in place and what verification procedures apply. The written contract also states that the security company will give the school all reasonable assistance to deal with any subject access request made under data protection legislation which may be received by the school within the statutory time-frame of 1 month.

POLICY IMPLEMENTATION & REVIEW

This policy was ratified by the BOM on the 25th May 2018 and will be reviewed and evaluated from time to time. On-going review and evaluation will take cognisance of changing information or guidelines (e.g. from the Data Protection Commissioner, An Garda Síochána, Department of Education and Skills, Audit units (internal and external to the school), national management bodies, legislation and feedback from pupils, parents/guardians, staff and others. The policy will be revised as necessary in the light of such review and evaluation.

Signed:
For and Behalf of Board of Management

Date:

APPENDIX D: SCHOOL WEBSITE PRIVACY STATEMENT

INTRODUCTION

Sacred Heart of Jesus National School is committed to preserving the privacy of all visitors to www.sacredhearthuntstown.weebly.com (“our website”). This privacy statement relates to our practices with regard to our website and is designed to assist you in making informed decisions when using our site.

Our school fully respects your right to privacy, and does not collect personal information/personal data when you visit our website. By using our website, you consent to the collection and use of non-personal data under the terms of this privacy statement which is in accordance with the Data Protection Acts 1988 to 2018, the European Communities (Electronic Communications Networks and Services) (Privacy and Electronic Communications) Regulations 2011 and the EU General Data Protection Regulation (GDPR).

WHAT INFORMATION DO WE COLLECT?

When you visit our website you may provide us with non-personal information as you browse through the website. This data is collected on a statistical, aggregate, non-individual basis. The data may include the IP address from which you accessed our website, the type of internet browser used, the type of operating system used, the “top-level” domain name used (ie, .com, .org, etc.), the date and time of your visit and the number of pages you visited on our website.

An IP address is a number that is assigned to your computer automatically when you use the internet. When you visit any web page on our website, our website hosting company’s servers log your IP address. They may use your IP address to help diagnose problems with their server and to administer our website. Your IP address is also used by our website hosting company to help identify you and to gather broad demographic information.

We do not disclose, sell or distribute website information to any third parties. We may pass aggregate non-personal information on the usage of our site to third parties, but this will not include information that can be used to identify you. Unless required to do so by law, we will not otherwise share any information provided to us through the use of our website.

WHAT ARE COOKIES?

Cookies are a feature of web browser software that allows web servers to recognise the computer used to access a website. Cookies are small pieces of data that are stored by a user's web browser on the user's hard drive. Cookies can remember what information a user accesses on one web page to simplify subsequent interactions with that web site by the same user or to use the information to streamline the web page and to complete commercial transactions over the Internet. Cookies should make your online experience easier and more personalized

Our website uses cookies to keep track of your access to the site. By using our website, you agree that we can place these types of cookies on your device.

Your browser will give you the option of preventing websites using cookies, or deleting cookies that have been accepted. Your browser’s help service or help manual will show you how this is done. If you do not want your browser to accept cookies, you can “turn off” the cookie acceptance setting on your browser setting. However you must note that this may stop our website from working properly on your device. If you do not change your browser settings to refuse cookies, our website will issue cookies when you visit our website. If you continue to use our website, you agree and consent to our use of cookies on your device.

WEBSITES LINKED TO OUR WEBSITE

Our website may, from time to time, contain links to and from third party websites. We are not responsible for the practices employed by websites linked to or from our website nor the information or content contained therein. Often links to other websites are provided solely as pointers to information on topics that may be useful to the users of our website.

Please remember that when you use a link to go from our website to another website, our Privacy Policy is no longer in effect. Your browsing and interaction on any other website, including websites which have a link on our website, is subject to that website's own rules and policies. Please read over those rules and policies before proceeding.

SCHOOL CONTACT DETAILS

If you are concerned about how your non-personal data is processed by our website, please bring your concerns to our attention using the contact details below:

Chairperson,
Board of Management,
Sacred Heart of Jesus National School,
Huntstown,
Dublin 15.
Phone: (01) 8216400
Fax. (01) 8225045
E-Mail: sacredheartns@gmail.com
Website: www.sacredhearhuntstown.weebly.com