



## Mount Mercy College

### *Title: Draft Data Protection Policy Mount Mercy College*

#### **1. Introductory Statement**

The school's Data Protection Policy applies to the personal data held by the school which is protected by the Data Protection Acts 1988 and 2003.

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 sensitive personal data will be protected by the school.

#### **2. Data Protection Principles**

- The school must comply with the principles of data protection set out in the Data Protection Acts 1988 & 2003

#### **3. Purpose of the Policy**

The Data Protection Acts 1988 and 2003 apply to the keeping and processing of *Personal Data*, both in manual and electronic form. The purpose of this policy is to assist the school to meet its statutory obligations, to explain those 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.

#### **4. Definition of Terms:**

Important terms in Data Protection

The following provides a brief explanation of the key terms which should be understood by management and staff.. For access to the full statutory definitions used in the Data Protection Acts, you will find a pre-certified restatement of the Data Protection Acts 1988 and 2003 (<http://www.irishstatutebook.ie/eli/1988/act/25/enacted/en/html>)

**Data** Protection is the means by which the privacy rights of individuals are safeguarded in relation to the processing of their personal data.

Data means information in a form which can be processed. It includes both automated data and manual data.

**Automated data** means any information on computer or information recorded with the intention that it is processed by computer. **Manual data** means information that is kept/recorded as part of a relevant filing system or with the intention that it should form part of a relevant filing system.

A **relevant filing system** means any set of information that, while not computerised, is structured by reference to individuals or by reference to criteria relating to individuals, so that specific information relating to a particular individual is readily accessible. Examples might include student files stored in alphabetical order in a filing cabinet or personnel files stored in the school.

**Additional terms as set out previously e.g.: personal data, sensitive data, data subject, data controller and data processor.**

## **5. The Rationale of the Policy**

Rationale: In addition to its legal obligations under the board remit of educational legislation, the school has a legal responsibility to comply with the Data Protection Acts, 1988 and 2003.

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. As more and more data is generated electronically and as technological advances enable the easy distribution and retention of this data, the challenge of meeting the school's legal responsibilities has increased.

The school takes its responsibilities under data protection law very seriously and wishes to put in place safe practices to safeguard individuals' 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.

## **6. Other Legal Obligations**

- The implementation of the policy should take into account the legal obligations as set out previously ie. the Data Protection Acts 1988 & 2003 and also the Education Act 1998 & Education (Welfare) Act 2000

## **7. Relationship to School spirit & ethos**

Relationship (Schools mission/vision/aims)

Mount Mercy College seeks to :

- Enable each student to develop their full potential
- Provide a safe and secure environment for learning
- Promote respect of 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 Acts.

### **8. 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:

- Child Protection Policy
- Anti-Bullying Policy
- Code of Behaviour
- Mobile Phone Code
- Admissions / Enrolment Policy
- CCTV Policy
- Substance Use Policy
- ICT Acceptable Usage Policy
- SPHE/CSPE etc.
- Dignity at Work Protocol
- Other

### **9. Personal Data held by the school may include the following:**

#### A) Staff Records

- Categories of staff Data including : name, address, contact details, PPS Number, original application records, details of approved absences (career breaks, parental leave etc.), details of work record (qualifications, classes taught) details of incidents / injuries sustained on school property, disciplinary etc.
- Purposes: management & administration of school business. Facilitate payment of staff, entitlements, pension etc. HR management. Record of promotions. Enable school to comply with its obligations as an employer etc.
- Location: Secure, filing cabinet to which only authorised personnel have access.
- Security: Manual record, computer record or both with only authorised access.

#### B) Student records

- Categories of Student Data Purposes including name, address, contact details, PPS number, place & DOB, religious belief, information on previous academic record, attendance record, medical assessment records.

- Purposes: enable student to develop to full potential, comply with legislative requirements, support provision of religious instruction, enable parent/guardian to be contacted in an emergency, meet the students' needs
- Location: Secure, filing cabinet in Administrator's Office
- Security: Manual record, computer record or both

#### C) BOM

- Categories: name, address, contact details, record of appointment, minutes of BOM meeting etc.
- Purposes: Operate in accordance with Education Act 1998. Maintain record of board appointments and decisions
- Location: Secure, filing cabinet to which only authorised personnel have access. (Principal's Office)
- Security: Manual record, computer record or both

#### D) Other records

- For example: creditors, charity tax back forms, CCTV recordings and images etc.

### **10. Monitoring the implementation of the policy**

- Implementation Date: This policy will apply as and from Oct. 1<sup>st</sup>, 2016 on ratification by BOM
- The policy will be subject to regular review
- The school community will be informed of the Data Protection Policy.

### **11. Ratification & Communication**

When the finalised draft Data Protection Policy has been ratified by the board of management, it becomes the School's agreed Data Protection Policy. It should then be circulated within the school community. The entire staff must be familiar with the Data Protection Policy and ready to put it into practice in accordance with the specified implementation arrangements. It is important that all concerned are made aware of any changes implied in recording information on students, staff and others in the school community.

Parents/guardians and students should be informed of the Data Protection Policy from the time of enrolment of the student e.g. by including the Data Protection Policy as part of the Enrolment Pack, by either enclosing it or incorporating it as an appendix to the Enrolment Form.

## **12. When and how often should the policy be reviewed and evaluated?**

The Policy will be reviewed and evaluated annually and as necessary. Ongoing review and evaluation should take cognisance of changing information or guidelines (e.g from the Data Protection Commissioner, Department of Education and Skills or the NEWB now known as TUSLA), legislation and feedback from parents/guardians, students, staff and others. The policy should be revised as necessary in the light of such review and evaluation and within the framework of school planning.

- Note:**
- 1. Personal data records are retained only for as long as necessary*
  - 2. Personal data on staff and student files may be made available for inspection by those individuals only or to those acting legally on their behalf.*

***This policy was ratified by the Board of Management:***

**DATE: 21<sup>st</sup> October 2016**

**SIGNED: P. Uí Riordáin  
CHAIRPERSON / SECRETARY**