Data Protection and
Record Keeping Policy 2018

Policy Title: Data Protection and Record Keeping	
Strategic Owner:	**St. Francis Special School**
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Signatures: *Finnian Gallagher* _____ **Finnian Gallagher** **Chairperson** **St. Francis Special School**	 *Liam Twomey* _____ **Liam Twomey** **Principal** **St. Francis Special School**

Contents

Page

Introduction

In the course of its operations St. Francis Special School is required to collect and use certain types of information about people, including 'personal data' and "special categories" of data as defined by the GPDR. This information can relate to current, past and prospective pupils, employees, volunteers, suppliers and others. In addition, staff may occasionally be required to collect and use certain types of personal information to comply with the requirements of various pieces of legislation. St. Francis Special School has a responsibility to have appropriate policies and procedures in place to ensure such data is managed and protected in accordance with the General Data Protection Regulation (GPDR) which reforms and replaces previous legislation in force across the European Economic Area, Directive 95/46/EC and has direct effect from 25 May 2018 in conjunction with the Data Protection Act 2018.

This policy applies to all personal and special categories of data collected, processed and stored by St. Francis Special School in relation to its pupils and staff in the course of its activities. All information about St. Francis Special School that is published on the school website – www.sfss.ie or on the school Facebook page complies with this Data Protection policy. Parents / Guardians give permission for their children to be included in photos or videos on the school website or on the Facebook page.

Data Protection and Record Keeping Policy

Rationale:

- A policy on data protection and record keeping is necessary to ensure that the school has proper procedures in place in relation to accountability and transparency and security of data.
- A policy must be put in place to ensure a school complies with legislation such as
    - Section 9(g) of the Education Act, 1998 requiring a school to provide access to records to pupils over 18 years of age and parents.
    - Education Welfare Act – requiring a school to report school attendance and transfer of pupils.

Ethos/Mission Statement

St Francis Special School is dedicated to providing the highest quality, care and education of pupils aged 4 - 18/19 under our instruction. In partnership with the Parents/Guardians, Families and/or Residential Personnel of our Pupils, we seek to promote individual intellectual, emotional, social, physical and spiritual development. The dignity of each child is maintained at a premium, thus ensuring equality of provision. We believe that each child is entitled to an appropriate educational provision, regardless of individual levels of attainment and functioning. While enabling each pupil to develop his/her potential to the full, we also want our pupils to be happy in school and to enjoy their time in our care.

Aims/Objectives

- To ensure the school complies with legislative requirements
- To clarify the types of records maintained and the procedures relating to making them available to relevant bodies.
- To stipulate the length of time records and reports will be retained.

Personal Data and purpose for holding it

Personal data of pupils/staff may be shared with TUSLA, HSE, Teaching Council, DES, Gardaí and the Educational Welfare Officer. This is done in the best interest of our pupils.

Pupil 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
  - any relevant special conditions (e.g. special dietary or medical needs) which may apply
- Psychological assessments or other professional assessments relevant to special education and/or medical details, such as reports, behaviour support plans
- Attendance Records
- Records of significant achievements
- Other records (e.g. records of any injuries/accidents)
- Other relevant medical information and care plans.

The format in which these records will be kept is a manual record (personal file within filing system), computer record (database) or both.

The purpose for keeping pupil records may include: to enable each pupil to develop his/her full potential, to meet the child's needs within the School, 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 where appropriate, to enable parent/guardians to be contacted in the case of emergency, to assess and support academic progress, to develop and update the pupil's IEP (Individual Education Plan) or IEFP (Individual, Education and Family Plan) to give feedback and updates to parents/guardians, to ensure the School is managed in accordance with education legislation and Departmental Circulars, for verification and dispute resolution purposes.

Staff records (including, where relevant - teachers and special needs assistants, volunteers, bus escorts and sub bus escorts, secretarial staff, cleaning staff, students on placement, trainee teachers on work-experience/work-placement):
Records may include:

- Name, address and contact details, PPS number, Teaching Council number
- Contact details of next of kin (in case of emergencies)
- Original records of application, appointment, posts.
- Details of approved absences (career breaks, parental leave, study leave)
- Details of work record (qualifications, classes taught, subjects)
- Details re sick-leave and/or health and safety documents (including occupational health referrals and associated documents)
- Garda Vetting outcomes (per ODPC retention period)
- Medical Certificates, occupational health documentation, Accident logs
- Copy of Birth Certificate
- Passport/ Driver's license copy
- DES Child Protection Declaration on File
- Form of Undertaking
- Statutory Declaration
- Contract of Employment
- References from previous employments and or character references
- Notes of meeting with staff member

The format in which these records will be kept is a manual record (personal file within filing system), computer record (database) or both.

Purpose for keeping staff records may include: to facilitate the payment of staff, to comply with DES circulars, to comply with employment-law legislation and other legislation and applicable in the context of working with children and vulnerable adults (including vetting, health and safety etc), to maintain a record of work and promotions, to facilitate pension payments in the future.

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 which may include references to particular individuals.

The format in which these records will be kept is manual record (personal file within filing system), computer record (database) or both.

The purpose for keeping board of management records may include: a record of board appointments, documenting decisions made by the board, to facilitate the good and orderly management of the School, to comply with legislation and Departmental Circulars, to comply with the Boards of Management of National Schools Constitution of Boards and Rules of procedure.

Storage of Data

Personal data is kept in the school offices e.g. the Principal's office or in the room where staff files are stored or in the Secretary's Office or in the Nurse's Room or in the room where Pupils' files are stored or in locked cabinets or password protected computers as follows:

Principal's Office

- Board of Management files (including DES documentation and Minutes of meetings)
- Principal's Lap-top has access to all electronic records of staff, pupils, correspondence, calendars and minutes of meetings - as well as contact lists for various suppliers and clinicians.
- Records in relation to Board of Management including Minutes of Board of Management meetings and correspondence to the Board.
- Board of Management Records – name, contact details and email of each member.
- **School Plan** with **School policies** (these are available to anyone on request and do not include personal or confidential information)
- **Adverse Incident Reports** recording all incidents involving staff, pupils and members of the public.
- Note: Principal's own phone is also the work phone and calls are paid for by the school but the phone is purchased by the Principal himself. The Principal's phone contains contact details of Teachers, SNAs etc. – all school Staff and sub Staff as well as various suppliers and service-providers to the school.

Staff Files Office (Locked – also with Locked Filing Cabinet)

- Sick Leave records for staff
- **Individual Staff Personnel files** with personal details (including CVs, medical details, contracts of employment
- Child Protection File
- Interview documentation

Pupil Files Room

- Lever Arch files on Pupils
- **Individual pupil files** with personal details (including name, address, date of birth, gender, ethnic origin, nationality, religious belief, medical details, dietary information, PPS numbers, contact details, parent names, clinical reports, information from SENO or HSE, sanction letters from DES for specialised equipment/furniture)

School Secretary's Office (Office is locked after hours)

- **Office Computer** has access to all electronic records of staff, pupils, correspondence, calendars and minutes of meetings as well as contact lists for various suppliers and clinicians.
- School secretary has Staff and Suppliers contact numbers on her personal mobile phone
- All financial documentation relating to the school
- Records of food temperature
- SNA circulars
- Wage records for Bus Escorts, Secretary, Cleaner and Nurse
- Signing-in records for Bus Escorts, Part-Time Teachers and cleaner
- Revenue records

Nurse Station

- Pupil personal details (contact details, medical history, nurses' notes, drug records, Epilepsy care plans, PEG feeding records and relevant hospital reports etc).
- Staff and pupil details of vaccine history (Anti-tetanus & Hepatitis B) – only if queried as a result of an incident in school

Classrooms

- Individual pupil files with personal details (Individual Education Plans, End of Year Reports, Behavioural Strategies, Reports from clinical teams, behavioural forms/tick charts)
- Teachers' Notes
- Pupil home/school journals
- School plan – containing policies
- Profiles/checklists may be displayed in Classrooms if this is to the benefit of the individual pupil.

Bus Escorts

- Medical information and protocols for PRN doses and other medication (kept on bus, in secure/ locked box /glove compartment)
- Individual pupil contact details (phone numbers, addresses, parent details)
- Behaviour Strategies when required

Access to Records

Requests for access to data and Freedom of Information Requests must be responded to within 30 days. All requests for data will be documented together with the responses.

Freedom of Information Requests will be dealt with in accordance with the requirements of the Freedom of Information Acts 1997 and 2003.

Third party data is redacted before being released to anyone. Some information cannot be released to a data requester. Where a data request is refused reasons will be given and details of how to complain to the Office of Data Protection Commissioner.

The following may have access to relevant and appropriate data listed above on request:

- Parents/Guardians
- Past Pupils
- HSE
- Board of Management
- Designated school personnel
- Disability Network Teams

A parental authorisation form must be completed by parents in the event of data being transferred to outside agencies such as health professionals. Outside agencies requesting access to records must do so in writing given seven days' notice. Parents/Guardians can make requests for access to data either by telephone, email or in writing. The right to erasure or rectification is available to change any mistakes or inaccuracies by proper authorisation through the same procedures.

When transfers of data are made to third parties the individual employee, pupil or parent of pupil will be advised of the disclosure.

Disposal of Data

Procedures for secure disposal of old data is shredding or returning to individual concerned. A register of personal data disposed of by confidential means is maintained by the school.

Photographs and videos of past pupils will not be kept long-term on electronic devices.

Compliance with Data Protection Rules

The policy sets down the general arrangements in place within St. Francis Special School to ensure that 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.

The following sets out the ways in which St. Francis Special School will comply with these 8 rules:

1. Obtain and process information fairly

(a) Within our School, procedures are in place to ensure that staff members, parents/guardians are made fully aware when they provide personal information, why the information is being collected, how it is being used, who is it being disclosed to and how will it be retained.

(b) The school will comply with the accountability principle of the GDPR in relation to consent or legal basis for holding of personal data.

(c) More stringent requirements apply to Sensitive Personal Data, due to its sensitivity. Sensitive personal data must be processed fairly in accordance with the Data Protection Acts, with explicit consent obtained.

2. Keep it only for one or more specified, explicit and lawful purposes. All personal data is obtained only for one or more specified legitimate purpose.

(a) The School will ensure everyone whose data is collected knows the reason(s) why it is collected and kept.

(b) The School will ensure the purpose for which the data is collected and kept is a lawful one.

3. Use and disclose it only in ways compatible with the specified purposes

Note: Data can be disclosed where required by law, or where the individual gives their consent.

(a) The School will ensure personal data is only used in ways consistent with the purpose/s for which it was obtained.

(b) The School will ensure data is only disclosed in ways consistent with that purpose.

(c) The School will ensure there is a procedure in place, which is in accordance with the Data Protection Acts to facilitate the transfer of information to another school when a pupil transfers. Note: Under the Education (Welfare) Act, 2000, each school principal must maintain a register with the names of all children attending that school. Under Section 28 schools may supply personal data, or information extracted from such data, to other schools or another prescribed body if they are satisfied that it will be used in recording the pupil's educational history, monitoring the pupil's educational progress or developing the pupil's full educational potential. The bodies which have been prescribed (and so can share information) under Section 28 are: The Minister for Education & Skills (which includes the Inspectorate and the National Educational Psychological Service (NEPS), The National Council for Special Education (NCSE), The National Educational Welfare Board (NEWB.

(d) Data will be disclosed to third parties, including the Department of Education & Skills, the NEWB, Gardaí, in legal proceedings, NCSE, HSE personnel etc. in accordance with legal obligations.

4. All personal data will be processed in a manner that ensures appropriate security of personal data.

Appropriate security measures are taken against unauthorised access to or alteration, disclosures or destruction of the data and against accidental loss or destruction.

5. All personal data to be kept accurate, complete and up-to-date:

(a) Clerical and computer procedures ensure high levels of data accuracy.

(b) Periodic reviews and audit ensure appropriate procedures are in place, so that each data item is kept up-to-date. Pupils' details of next of kin are reviewed – usually on an annual basis at the start of the school year.

(c) Conduct regular assessments in order to establish the need to keep certain personal data.

6. All personal data will be adequate, relevant and not excessive in relation to the purpose(s) for which the data was collected and processed.

- St. Francis School will ensure that the data it processes in relation to Data Subjects are relevant to the purposes for which the data are collected. Data which is not relevant to such processing will not be acquired or maintained.

7. All personal data not to be kept for longer than is necessary to satisfy the specified purpose(s).

- St. Francis Special School has identified the appropriate data retention period categories of personal data. These retention periods apply to data in both a manual and automated format. Once the respective retention period has elapsed, St. Francis School undertakes to destroy, erase or otherwise put this data beyond use.
- All personal data is managed and stored in such a manner that, in the event a Data Subject submits a valid Subject Access Request seeking a copy of their Personal Data, it is hoped that this data can be readily retrieved and provided to them.

- St. Francis Special School will implement a Subject Access Request procedure by which requests will be managed in an efficient and timely manner, within the timelines stipulated in the legislation.

8. Personal data will not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

- St. Francis Special School will not transfer data outside the EEA unless specific legal requirements have been met to ensure that personal data is sufficiently secure.

9. The School will be responsible for, and be able to demonstrate, compliance with the principles of Data Protection.

Everyone within the school has a role to play in ensuring that the school can 'demonstrate compliance' with data protection laws. Set out below are some examples of the ways each person within the school community can help. These lists are by no means exhaustive; each person should consider how they can help uphold privacy, ensure ethical information, governance and respect data protection.

Board of Management

- Appointing DPO – The School will be appointing Data Protection Officers in accordance with Article 37 to support the Principal and Board of Management but this has not yet been completed.
- Review the implementation, effectiveness, and compliance with policies, procedures and protocols
- Data Protection issues as an Agenda item at Board of Management meetings
- Key role in driving data protection awareness and compliance

Principal and Deputy Principal

- Developing policies, procedures and protocols
- Driving privacy and data awareness
- Identifying training needs and arranging for refresher training sessions
- Escalating appropriate issues to the Board of Management
- Taking appropriate preventative actions to mitigate the risk of data breaches arising
- Spearheading the response to any data breach (following the data breach protocol)
- Due diligence of service providers (data processors) prior to any service provider being retained
- Ensuring adequate assurances of GDPR compliance are obtained
- Ensuring appropriate written contracts in place with all service providers
- Record keeping
- Periodic reviews of all arrangements with service providers
- Undertaking Data Protection Impact Assessments in appropriate circumstances
- Overseeing data subject right requests (Article 15 – access, Article 16 – rectification, Article 17 – erasure)
- Performance management and/or disciplinary process for staff who are not following policies and procedures
- Working closely with the DPO
- Seeking advice from management body and/or School's legal advisors where appropriate
- Keeping up to date with legal developments, sectorial guidance etc

- Attending in-service training sessions arranged by management body

School Secretary

- Keep office area clean and tidy
- Ensure personal data is not visible to others (e.g. leaving files on desk)
- Keep personal data out of sight of visitors
- Ensure that computer screen is not visible to visitors
- Diligence and attention to detail when entering data on the school administrative systems
- Keep data accurate, complete and up-to-date
- Adhere to information governance protocols if making changes (deletions, additions etc)
- Identify data subject requests when they are received (by letter or email). If received by telephone ask the person to put their request in writing. Ensuring that all such requests (whether by phone, in person or by email or in writing) are immediately communicated to the Principal.
- Being cautious about requests for information; where a request for personal data is received, asking the requester to verify their identity,
- Ascertaining whether the requester is legally entitled to obtain personal data.
- Being suspicious; alert to the possibility of impersonation, trickery, deception, phishing, social engineering etc.
- Prepare post with high levels of diligence and attention to detail. Ensuring that the correct letter is put in the correct envelope. Developing post protocol checklist (e.g. double-checking enclosures, envelope counts etc)
- Prepare emails with high levels of diligence and attention to detail
    - Ensuring that correct email address is entered
    - Using BCC instead of To field where appropriate
    - Encrypting emails where appropriate
    - If emailing to a group, verifying who members are
- Be cautious and suspicious if an email asks you to click on links or open an attached document (even if from a familiar sender from a genuine email address)
- Ensure that data are kept safe and secure
- Use strong passwords (12 characters, mixture of alphanumeric, upper and lower case and symbols) and change them regularly. Never share log-in credentials. Never allow someone else to see you entering passwords
- Ensure passwords are unique (do not use the same password for multiple applications)
- Respect access-permission levels, never snooping into files/records to which you have no genuine employment reason for accessing, adhering to the principle of need to know.
- Immediately notify the Principal if anyone attempts to obtain unauthorised access to personal data
- Adhere to all School policies and protocols
- Follow all instructions given by the Principal

Teaching Staff

- Adherence to high standards of ethics and professionalism in all data entries Remembering at all times that the person about whom you are writing may have the right to obtain copies of the data.
- Ensure personal data (especially sensitive data) is never taken off site unless appropriate steps are taken to protect the data in transit (e.g. if taking personal data to a TUSLA case conference to review a child, ensure the data is stored securely on an encrypted laptop).
- Never signing the school up to any apps or software relating to school business, or requiring pupils to engage with apps/software without the prior approval of the Principal.
- Never storing data relating to school business on unapproved devices of systems (e.g. personal smartphones, tablets, cloud storage accounts etc).
- All data relating to school business must be encrypted and information is only stored on the provided encrypted USB.
- Never sharing work-related data on unapproved systems (e.g. talking about a pupil in a teachers WhatsApp group or other social media).
- Assisting the Principal with access requests
- Giving constructive feedback around how policies and protocols can be improved.

School Nurse

- Adhere to ethical standards required by their professional/regulatory/representative bodies (e.g. Nursing and Midwifery Board of Ireland) around confidentiality, record keeping etc.
- Have a clear understanding of when and in what circumstances data should be shared (e.g. Child Protection, child welfare, medical needs) and with whom (School Principal, Multi-D Team, DDLP, TUSLA, An Garda Síochána, other medical practitioners) - this is not an exhaustive list.
- Take responsibility for keeping their sensitive data-sets safe and secure.
- Exercising good judgement and professionalism in note-taking
- Keeping sensitive information in a locked filing cabinet in Nurse's Office – only Nurse has a key.

SNAs

- Adhere to information governance protocols if making changes (deletions, additions etc)
- Adherence to high standards of ethics and professionalism in all data entries
- Use strong passwords (12 characters, mixture of alphanumeric, upper and lower case and symbols) and change them regularly. Never share log-in credentials. Never allow someone else to see you entering passwords
- Take responsibility for keeping sensitive data-sets safe and secure
- Never storing data relating to school business on unapproved devices or systems (e.g. personal smartphones, tablets, cloud storage accounts etc.)
- Never sharing work-related data on unapproved systems (e.g. talking about a pupil in a WhatsApp group)

Care taker / Cleaning Staff

To ensure that all exit doors and secure areas in the school are locked and if he / she becomes aware of any data breach, inform the principal.

Links to Other Policies and to Curriculum Delivery

School policies need to be consistent with one another, within the framework of the overall School Plan. Relevant school policies already in place, being developed or reviewed, should be examined with reference to the data protection policy and any implications which it has for them should be addressed.

The following policies may be among those considered:

- Child Protection Policy
- Anti-Bullying Policy
- Substance Use Policy
- Code of Behaviour.
- IT/Acceptable Usage Policy

Data Breach/Data Loss Incidents

St. Francis Special School is required under the GDPR to report certain types of personal data breach to the Data Protection Commission (DPC) within 72 hours of becoming aware of the breach, where feasible. If the breach is likely to result in a high risk of adversely affecting individuals' rights and freedoms, the school must also inform those individuals' parents or guardians without undue delay.

Personal Data breach

A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data in manual or electronic form. This includes breaches that are the result of both accidental and deliberate causes. It also means that a breach is more than just about losing personal data.

Personal Data Breaches may include:

- access by an unauthorised third party;
- deliberate or accidental action (or inaction) by a controller or processor;
- sending personal data to an incorrect recipient through email, fax etc;
- computing devices containing personal data being lost or stolen;
- alteration of personal data without permission; and loss of availability of personal data.

A personal data breach can be broadly defined as a security incident that has affected the confidentiality, integrity or availability of personal data. Therefore, there will be a personal data breach whenever any personal data is lost, destroyed, corrupted or

disclosed; if someone accesses the data or passes it on without proper authorisation; or if the data is made unavailable, for example, when it has been encrypted by ransom ware, or hacked. In accordance with article 87 of the GDPR when a security incident takes place, it must be quickly established whether a personal data breach has occurred and, if so, promptly take steps to address it, including informing the Data Protection Commissioner.

The risk of having a data breach can be greatly reduced/minimised by adherence to SJOG ICT and school data protection policies, ensuring the security of manual personal data and maintaining a **clear desk policy**.

Appendix 1

Retention Schedule – All Retention Schedules are subject to change.

St. Francis Special School has set out some guidelines on the length of time for which personal data will be kept and the reasons why the information is being retained. If the purpose for which the information was obtained has ceased and the personal information is no longer required, the data must be deleted or disposed of in a secure manner. St. Francis Special School Board of Management has introduced procedures for ensuring that files are purged regularly and securely. Personal data shall not be retained any longer than is necessary. These are default guidelines only, and there may be certain circumstances which require alternative retention periods. All records will be periodically reviewed in light of updates to legislation, Departmental Circulars, experience and any legal or other relevant indications. Destruction method: For all School records, the accepted method of destruction is CONFIDENTIAL SHREDDING

<table>
<tr><th>Pupil Records</th><th colspan="2">Default Retention Period</th><th>Comments/Rationale for retention period</th></tr>
<tr><td rowspan="2">Core Pupil Records
Enrolment Forms
Enrolment/transfer forms where child is not enrolled or refused enrolment
Clinical reports and recommendations
Psychological Assessment</td><td colspan="2">Did an accident, issue, or incident arise while the pupil was in the school? Or has a complaint been made threatening litigation? Or is litigation contemplated? Is it likely the School will be required to produce these records in the context of litigation/dispute resolution?</td><td rowspan="2">Once a pupil leaves the School (or reaches the age of 18 years, whichever is the longer period) the only core relevant records should be removed from the active filing system, and safely retained by the School in secure longer-term archival storage. All other records which are no longer required for the purpose for which they were collected should be securely destroyed but this is subject to change.

Core records should be retained in archives for 2 reasons:</td></tr>
<tr><td>If “YES”
If at any stage litigation is threatened or has commenced, the School’s insurance company should be notified. The relevant records should be transferred to the school’s solicitor in order to defend proceedings. Where</td><td>If “NO”
Once pupil leaves the School (or reaches the age of 18 years, whichever is the longer period), the record should be removed from the active filing system, and only core</td></tr>
</table>

• Special Education Needs' files, reviews, correspondence • Section 29 appeals • Government returns (October Returns, POD etc) • Accident/Injury/Incident reports • Pupil medical records • Letters from GP, Consultants • Behaviour Forms • Individual Sanction letters for specialised equipment • NCSE individual, additional Teacher/SNA application	litigation threatened/initiated, retain documents until pupil reaches 25 years old (18 years being the date upon which the child reaches his/her majority, plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school). Upon the pupil's turning 25 years old, the Board of Management shall conduct a risk-based assessment review to determine whether the records need to be retained. If at that stage litigation is still threatened, seek legal advice.	relevant records retained by the School in secure longer-term archival storage. In general, those archived records should be destroyed when the pupil reaches 25 years old. This period is calculated as 18 years + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school). If in any doubt, the Board of Management will obtain advice.	(a) The School often receives requests for records from pupils many years after the pupil has left the School. This documentation is sometimes required for the pupil applying for follow-on services after school completion. (b) Documentation could be required by the School to resolve disputes or defend litigation.
Pupil Class File including IEPs, End of Year Reports, Behaviour Strategies. Manual handling risk assessments, Risk assessments	Destroy 2 years after the pupil turns 18 years, or 2 years after the pupil leaves the School but this is subject to change.		The School can receive requests for records from pupils many years after the pupil has left the School. This documentation is sometimes required for the pupil applying for follow-on services after school completion

Teacher's hand-written notes	kept in pupil's class file and destroyed at the end of the academic year	
Permission for use of photographs and social media	Destroy when pupil leaves school (i.e. 18 years old)	Not required once pupil leaves school
Records of complaints made by parents/ guardians	Depends entirely on the nature of the complaint: If it is child-safeguarding, a complaint relating to teacher-handling, or an accident, then see **Child Protection Records** or **Accident/Injury/Incident reports** above. If it is a complaint of a more mundane or minor nature, retain in line with guidance at "Core Pupil Records" above.	Documentation could be required by the School to resolve disputes or defend litigation.
Registers/Roll books	**N/A**	Retained for Archival purposes only. Archive when class leaves + 2 years. Not in active use – retained in storage. **Note**: In the event that Department of Education and Skills issue a DES Circular advising schools Registers/Roll Books can be destroyed, then they will be securely destroyed by confidential shredding. **This is subject to change.**

Other Management records	Default/guideline retention period	Comments
Board agenda and minutes	Retained in active file system for 2 years after the end of the academic year to which the agenda/minutes relate. Then transferred to long-term storage for Archival purposes. Not in active use – retained in secure storage. **Note**: In the event that Department of Education and Skills issue a DES Circular (or some similar guidance) advising schools board agendas and minutes can be destroyed, then they will be securely destroyed by confidential shredding.	These should be stored securely on school property. Retained for Archival purposes. **Note**: In the event that Department of Education and Skills issue a DES Circular advising schools that such agendas/board minutes can be destroyed, then they will be securely destroyed by confidential shredding.
Child protection records	Indefinitely.	Never destroy. Retain with highest level of security. Statute of Limitations (Amendment) Act 2000 applies where child suffered child sexual abuse. Documentation may be required to resolve disputes, defend litigation, or assist in Commissions to Inquire in years to come.
Audited Accounts Insurance policies Procurement records	Store for period advised by DES.	**Note**: In the event that Department of Education and Skills issue a DES Circular advising schools that such Audited Accounts can be destroyed, then they will be securely destroyed by confidential shredding. **This is subject to change.**
Timesheets	Kept on electronic file for six years. Handwritten sheets destroyed after one academic year.	

Staff Records	Default/guidelines retention period	Comments
Recruitment process: • Unsolicited applications for jobs • Applications & CVs of candidates called for interview • Database of applications • Selection criteria • Applications of candidates not shortlisted • Candidates shortlisted but unsuccessful at interview • Candidates shortlisted and are successful but do not accept offer • Interview board marking scheme & board notes • Panel recommendation by interview board • Correspondence from unsuccessful candidates/correspondence re feedback	18 months from close of competition	18 months from close of competition: 12 months from close of competition plus 6 months for the Equality Tribunal to inform the school that a claim is being taken. **All Staff records retention times are subject to change.** **Note:** these suggested retention periods apply to unsuccessful candidates **only**. They do **NOT** apply to successful candidates, or candidates who are/were also employees already within your school applying for another post/position. For successful candidates, or candidates who are/were also employees already within your school applying for another post/position, see retention periods set out below.
Applications, qualifications, references, recruitment, job specification, contract, Teaching Council registration, records of staff training etc.	Retain for duration of employment plus 7 years	Note: 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Garda vetting application form	No copy retained	No copy retained. Original completed application forms sent to the Garda Central Vetting Unit through the Arch-diocese (NVB 1 form) The NVB2 form is only issued to applicants themselves via email from the NVB .

		No copies held at School level. Garda vetting outcomes – see below.
Garda vetting outcome/disclosure notices received by School from GCVU	Retain for duration of employment plus 7 years.	
Working Time Act (attendance hours, holidays, breaks)	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school). **Note**: There is a statutory requirement to retain for 3 years	Working Time Act: must retain for 3 years
Allegations/complaints re Workplace Procedures Grievance and Disciplinary records	Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served).	Please note the relevant DES Circular re Disciplinary Procedures in relation to the period of time for which a warning remains "active" on an employee's record.
Accident/injury at work reports including Adverse incident forms, referrals to the Health Authority (HSA) and Assault leave forms for Department of Education.	Retain for 10 years.	Safety, Health and Welfare at Work (General Applications) Regulations 1993 require records of accidents in the workplace be retained for 10 years from the date of the accident.
Occupational Health Records (Sickness absence records/certificates, Sick-leave records (sick benefit forms), Pre-employment medical assessment**,** Occupational health referral**,** Correspondence re retirement on ill-health grounds	Retain for 7 years following staff member's leaving employment (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school), unless sickness absence or Medmark Referral relates to an accident/ injury/ incident sustained in relation to or in connection with the individual's duties within the school, in which case, see "Accident/Injury at	Re sick leave scheme (1 in 4 rule) ref DES C/L 0060/2010

	Work" reports	
Employee records • Application &/CV • Qualifications • References • Interview: database of applications (the section which relates to the employee only) • Selection criteria • Interview board marking scheme & board notes • Recruitment medical • Job specification/description • Contract/Conditions of employment • Probation letters/forms • Leave of absence applications • Job share • Career Break • Maternity leave/paternity leave/parental leave • Posts of Responsibility • Records of previous service (incl. correspondence with previous employers)	Retain for duration of employment plus 7 years	Note: 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school). **NB**: service records may be retained longer (i.e. until retirement age) for superannuation/pension purposes.
• Parental leave • Force Majeure Leave • Carer's leave	Retain for 8 years	Must be kept for 8 years - Parental Leave Acts 1998&2006, and section 27 Carer's Leave Act 2001.
Government returns (any returns which identify staff/volunteers) including OLCS (Online Claim	Depends upon the nature of the return. If it relates to pay/pension/benefits of	

system)	staff, keep as per guidelines above.	
Fire Safety Reports	6 years + l year	
Staff training Records Record of any training provided	Duration of employment plus 7 years	
Petty cash purchase order books Receipt books	Held for 6 years plus the current year	

Appendix 2

Data Protection Parents/Guardians Consent

St. Francis Special School Data Protection Policy sets down the arrangements in place to ensure that 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 Regulations):

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.

The information collected on the enrolment forms of St. Francis Special School will be held in manual and in electronic format. The information will be processed in accordance with General Data Protection Regulations legislation.

The purpose of holding this information is for administration, to facilitate the school in meeting the pupils' educational needs.

Disclosure of any of this information to Government bodies such as the Department of Education and Science, NCSE, TUSLA, An Garda Síochána, HSE, Department of Social Protection, Educational Welfare Officers will take place only in accordance with legislation or regulatory requirements. This is done in the best interests of our pupils.

Parents/Guardians of pupils have a right to access the personal data held on them or their daughter/son by the school and to correct it if necessary.

I consent to the use of the information supplied as described.

Signed Parent/Guardian: _____ **Date** _____

Signed Pupil (if relevant): _____ **Date** _____

Appendix 3

Privacy Notice to Pupils (and their Parents/Guardians)

By enrolling your child and him/her attending St. Francis Special School you acknowledge that your child's personal data (including special category personal data) shall be processed by St. Francis Special School. This Privacy Notice gives you some helpful information about who we are, what personal data we collect about you, why, who we share it with and why, how long we keep it, and your rights.

If you need more information, please see our Data Protection Policy available in the school

1. Who we are:

St. Francis Special School, Beaufort, Co. Kerry
Eircode: V93 TX36
Registered Charity No. 20140274
Tel: 0646644452 Email: info@sfss.ie ; principal@sfss.ie
Website: www.sfss.ie

2. The information we collect about our pupils

We collect and use personal data on all of our pupils.

The personal data we collect can include information about identity and contact details; images/photo (including CCTV); family details; admission/enrolment details; previous schools; academic progress; PPS number; special educational needs; nationality; language; religion; medical data; information about behaviour and attendance; information about health, safety and welfare; financial information (re fees, grants, scholarships); and other personal data.

Further details of the data we collect about you can be found in our Data Protection Policy.

As our pupils are under 18 years when they enrol, we collect the name, address, contact details and other information about their parents/guardians. Parent/guardians are consulted and asked to give consent for certain things like taking your photograph, going on school trips etc.

3. How we use information and the legal basis

We use personal data for purposes including:

- *application for enrolment;*
- *to provide appropriate education and support;*
- *to monitor academic progress;*
- *to care for health and well-being;*
- *to care for our staff and pupils;*
- *to process grant applications, fees and scholarships;*
- *to coordinate, evaluate, fund and organise educational programmes;*
- *to comply with our legal obligations as an education body;*
- *to comply with our monitoring and reporting obligations to Government bodies,*
- *to process appeals, resolve disputes, and defend litigation etc.*

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

4. Who we share personal information with

We share our pupils' personal data with third parties, including other Government bodies.

This includes the State Examinations Commission, the Department of Education and Skills, NCSE, TUSLA, An Garda Síochána, HSE, the Department of Social Protection and Education Welfare Officers.

The level of sharing and the nature of what is shared depend on various factors. The Government bodies to which we transfer your personal data will use your personal data for their own purposes (including: to verify other information they already hold about you, etc) and they may aggregate it with other information they already hold about you and your family. We also share your personal data with other third parties including our insurance company and other service providers (including IT providers, security providers, legal advisors etc), We are legally required to provide certain records relating to the progress of a pupil (under 18 years) in his/her education to the pupil's parents/guardians, including results of examinations. For further information on who we share your data with, when and in what circumstances, and why see our Data Protection policy.

5. We do not transfer personal data to a third country or international organisation.

6. We do not engage in automated decision making/profiling.

7. How long we hold data

Some personal data is only kept for a short period (e.g. we will destroy at the end of an academic year because it is no longer needed). Some data we retain for a longer period (retained after pupil leaves or otherwise finishes their studies with St. Francis Special School For further information on the retention periods, please go to Appendix 1 of our Data Protection Policy.

8. You have the following statutory rights that can be exercised at any time:

(a) Right to complain to supervisory authority.
(b) Right of access.
(c) Right to rectification.
(d) Right to be forgotten.
(e) Right to restrict processing.
(f) Right to data portability.
(g) Right to object and automated decision making/profiling.

For further information, please see our Data Protection Policy available in the school