

General Data Protection Regulation Privacy (GDPR) Notice

(How we use pupil information)



St Brendans BNS

On the 25th May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR). St Brendans BNS is the data controller of the personal information you provide to us. This means the school determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed. Pupils, parents and teachers are all Data Subjects as the Data Controller (BOM) processes their information

In some cases, your data will be outsourced to a third party processor; however, this will only be done with your consent, unless the law requires the school to share your data. Where the school outsources data to a third party processor, the same data protection standards that St Brendans BNS upholds are imposed on the processor.

The lawful basis on which we use this information

St Brendans BNS holds the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school and/or the Department of Education and Skills. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and Irish law. The condition for processing under the GDPR will be:

- Article 6 of the GDPR
 1. Processing shall be lawful only if and to the extent that at least one of the following applies:
 - (c) Processing is necessary for compliance with a legal obligation to which the controller is subject;
- Article 9 of the GDPR
 1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.
 2. Paragraph 1 shall not apply if one of the following applies:
 - (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Why we collect and use your information?

In accordance with the above, the personal data of pupils and their families is collected and used for the following reasons:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard pupils

Which data is collected?

The categories of pupil information that the school collects, holds and shares include the following:

- Personal information (such as name, PPS number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information
- Medical conditions
- Special Educational Needs and Disability
- Behaviour and suspensions/expulsions

Whilst the majority of the personal data you provide to the school is mandatory, some is provided on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

How long is your data stored for?

Personal data relating to pupils at St Brendans BNS and their families is stored in line with the school's GDPR Data Protection Policy. In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

Will my information be shared?

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority
- the Department for Education and Skills
- HSE dentist/ nurse

Why we share pupil information

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

We share pupils' data with the Department for Education and skills on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.education.ie/en/Schools-Colleges/Services/Returns/Post-Primary-Online-Database-P-POD-Project/Data-Protection.html>

Pupil Online Database (POD)

The POD is owned and managed by the Department for Education and contains information about pupils in schools in Ireland. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes.

We are required by law, to provide information about our pupils to the Department of Education and Skills as part of statutory data collections such as the school census. Some of this information is then stored in the POD (Pupil online database).

To find out more about POD go to <https://www.education.ie/en/Schools-Colleges/Services/Returns/Post-Primary-Online-Database-P-POD-Project/Data-Protection.html>.

See attached Appendix A for details on data collected by the Department of Education and Skills on POD

What are your rights?

Parents and pupils have the following rights in relation to the processing of their personal data. You have the right to:

- Be informed about how St Brendans BNS uses your personal data.
- Request access to the personal data that St Brendans BNS holds.
- Request that your personal data is amended if it is inaccurate or incomplete.
- Request that your personal data is erased where there is no compelling reason for its continued processing.
- Request that the processing of your data is restricted.
- Object to your personal data being processed.
- Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

Contact

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance by contacting the Chairperson of the Board of Management.