Ballinahinch National School
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GDPR Policy

Introduction

This data protection policy aims to set out in writing the manner in which we, at Ballinahinch N.S., collect and process personal data, and how the data concerned is protected, in accordance with GDPR.

This policy was formulated with reference to:

- **General Data Protection Regulation 2018**
- A guide for Data Controllers- Data Protection Commissioner
- www.dataprotectionschools.ie
- The Data Protection Act 1988
- The Data Protection (Amendment) Act 2003
- The Education Act 1998
- Education Welfare Act 2000

This statement applies to all pupils, parents and guardians. By enrolling your child in and/or by attending Ballinahinch N.S. you acknowledge and agree to the collection and processing of personal information by the school.

Data Protection Principles

Ballinahinch N.S. is a data controller of personal data relating to its past, present and future pupils and parents/guardians within our school community. As such, the school is obliged to comply with the principles of data protection as set out in the Data Protection Acts 1988 and 2018 which can be summarised as follows:

- **Obtain and process Personal Data fairly**: Information on students 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 students etc.), the 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 the Data Protection Acts and the terms of this Data Protection Policy. The information will be obtained and processed fairly.

- **Keep it only for one or more specified and explicit lawful purposes**: The School will inform individuals of the reasons they collect their data and will inform individuals of the uses to which their data will be put. All information is kept with the best interest of the individual in mind at all times.
- **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.
- **Keep *Personal Data* safe and secure**: Only those with a genuine reason for doing so may gain access to the information. Sensitive Personal Data is securely stored under lock and key in the case of manual records and protected with firewall software and password protection in the case of electronically stored data. Portable devices storing personal data (such as laptops) should be encrypted and password protected before they are removed from the school premises. Confidential information will be stored securely and in relevant circumstances, it will be placed in a separate file which can easily be removed if access to general records is granted to anyone not entitled to see the confidential data.
- **Keep Personal Data accurate, complete and up-to-date**: Students, 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. The principal may delegate such updates/amendments to another member of staff. However, records must not be altered or destroyed without proper authorisation. If alteration/correction is required, then a note of the fact of such authorisation and the alteration(s) to be made to any original record/documentation should be dated and signed by the person making that change.

Note:

- *A copy of this procedure will be available for parents/legal guardians on the school website and/or on request from the school.*
- *Under the Education Act 1998, legally, all schools are managed by the school's Board of Management, on behalf of the school patron.*

- **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.
- **Retain it no longer than is necessary for the specified purpose or purposes for which it was given**: As a general rule, the information will be kept for the duration of the individual's time in the school. Thereafter, the school will comply with DES guidelines on the storage of Personal Data and Sensitive Personal Data relating to a student. 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.
- **Provide a copy of their *personal data* to any individual, on request**: Individuals have a right to know what personal data/sensitive personal data is held about them, by whom, and the purpose for which it is held.

Information Collected

Ballinahinch N.S may collect the following personal information on pupils and parents/guardians.

(i) Pupil Information

- Personal details such as name, address, date of birth, gender, PPS number, nationality, emergency contact information and information in relation to the pupil's family.
- Any information regarding Special Educational Needs (SEN).
- Any information regarding Child Protection.
- Academic records, school reports, pupils learning needs, pupil behaviour needs, permission for access to educational reports, individual education and learning support plans.
- Personal pupil profiles (including whether English is the pupil's first language or if exempt from any subjects e.g. Irish or Religion).
- Psychological referral/ assessment documentation and permission for access to psychological reports.
- Information for the Primary Online Database (POD).
- Information for Special Educational Needs Organiser (SENO).

- Information for TUSLA (the Child and Family Agency) and/or the Health Service Executive (HSE).
- Attendance records and explanatory notes in relation to absences.
- Disciplinary records including notes that may be held by the teacher(s), incident and accident reports, investigations and sanctions if imposed.
- Permission notes in respect of school activities e.g. school tours/trips and outings, extracurricular activities, (including Curricular, RSE/Stay Safe Programme.
- Photographs and recorded images of pupil(s) (including at school events).
- School Transport information,
- CCTV footage and other information obtained through electronic means.
- ***Any other personal information on pupils as relevant.***

(ii) Sensitive Personal Information - Pupils

Ballinahinch N.S. may collect and process the following special categories of more sensitive personal information such as:

- Information about a pupil's health, medical certificates, medical needs, allergies and consent for administration of medicines.
- Religious belief and confirmation of engagement or not in Religious Sacraments.
- Membership of the Traveller Community.
- Racial or Ethnic origin.
- ***Any other personal information on pupils as relevant.***

(iii) Parent/ Guardian Information

Ballinahinch N.S. may collect and process the following personal information from parents/guardians such as:

- The name, address, date of birth and sex of the pupil.
- The mother's birth surname
- Contact details of parent/guardian e.g. name, address, email address, telephone number(s).
- The pupil's PPSN.
- Information regarding legal orders in respect of any family law disputes in respect of guardianship, custody or access.
- Occupation and nationality.
- Number of children, position of pupil(s) in family.
- Consent in respect of medical/other emergencies.

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- Consent in respect of school activities e.g. school tours/trips and outings, extra-curricular activities.
- Consent to publish photographs and schoolwork of pupils on school website/print media etc.
- Records, correspondence or notes arising from interaction with Parents/Guardians.
- ***Any other personal information on parents/guardians as relevant.***

Purpose & Legal Basis for Collecting & Processing Information

Ballinahinch N.S. collects and processes personal information (as listed above) about pupils and parents/guardians for a variety of purposes and relies on a number of legal grounds to do so. Ballinahinch N.S. requires this information to perform our duties and responsibilities and to comply with our legal and statutory obligations. In addition, Ballinahinch N.S. requires this personal information to pursue the legitimate interests of the school and our dealings with relevant third parties (see below). The legitimate interests upon which we rely is the effective operation and management of Ballinahinch N.S. and managing the education and welfare needs of our pupils. Ballinahinch N.S processes personal data on the basis of the following lawful purposes:

a) Legal Obligation

Ballinahinch N.S. collects and process personal information to comply with our legal and statutory obligations, including, but not limited to those under the Education Act 1998 (as Amended), the Education (Welfare) Act 2000, the Education for Persons with Special Needs (EPSEN) Act 2004, the Health Act 1947,the Children First Act 2015, the Child Protection Procedures for Primary and Post-Primary Schools 2017, the Teaching Council Acts 2001-2015 and Safety Health and Welfare at Work legislation.

Certain pupil data may be shared with the HSE for the purpose of the School Health Programme. The legal basis for this is:

- GDPR Article 6:
  Processing is necessary for compliance with a legal obligation to which the controller is subject.
- GDPR Article 9:
  Processing is necessary for the purposes of preventative medicine, medical diagnosis, the provision of health treatment or the management of health systems and services on the basis of law; and

Processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health on the basis of law.

- Infectious Diseases (Amendment) (No. 2) Regulations 2024.
- Health (Provision of Information for Health Examination and Treatment Service) Regulations 2024.

b) Legitimate Interests

Ballinahinch N.S. may also process personal information to:

- Enable Pupils to develop to their full potential and meet the educational, social, physical and emotional requirements of the pupil.
- Enable Parents and Guardians to be contacted in the case of emergency, school closures and to inform Parents and Guardians of their child's educational progress.
- Secure and benefit from the support and services of relevant third parties.

c) Consent

Ballinahinch N.S. sometimes process some of pupils' personal information with consent e.g. photograph which may be displayed on the school's website or on social media platforms or in the print media. Please note that consent can be withdrawn at any time by contacting the school.

How Personal Information Is Collected

(i) Pupils

Ballinahinch N.S. collect personal information about pupils through the enrolment process and/or through expressions of interest in relation to enrolment. Additional information is collected from third parties, including former schools and through school activities and general interaction(s) during the course of the pupil's time at Ballinahinch N.S.

(ii) Parents/Guardians

Ballinahinch N.S. collect personal information about parents/guardians through the enrolment process or expressions of interest for enrolment. We collect additional personal information through general interaction during the course of the pupil's time at Ballinahinch N.S.

Information and Third Parties

Ballinahinch N.S. may receive from, share and/or transfer information to a range of third parties such as the following:

- The Department of Education and Skills
- TUSLA / the Child and Family Agency
- The National Council for Special Education (NCSE)
- National Educational Psychological Service (NEPS)
- Department of Social Protection and/or other state benefit providers
- An Garda Síochána
- The Health Service Executive (HSE) – certain pupil data may be shared with the HSE for the purpose of the School Health Programme
- School Insurance Provider
- **Third Party Service Providers:** We may share personal information with third party service providers that perform services and functions at our direction and on our behalf such as our accountants, IT service providers including, printers, lawyers and other advisors, and providers of security and administrative services, including data processing or cloud storage service providers **e.g. Aladdin**.
- ***Any other third parties as relevant.***

Data Retention

Ballinahinch N.S. will only retain personal information for as long as it is necessary to fulfil the purposes the information was collected for and to comply with Data Protection, including any legal, accounting or reporting requirements.

Transfer of Personal Information Outside of the European Union

Ballinahinch N.S. may transfer the personal information we collect to countries outside the EU. Where there is no adequacy decision by the European Commission in respect of any such country, that means that that country is deemed not to provide an adequate level of protection for your data. However, to ensure personal information does receive an adequate level of protection we will in such circumstances put in place appropriate measures such as the use of model contractual clauses as approved by the European Commission to ensure personal information is treated by those third parties in ways that are consistent with respect to EU and Irish Laws on Data Protection.

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Individual Rights

Individuals have several rights under GDPR which in certain circumstances are limited and/or constrained. These individual rights include the right - free of charge and subject to any limitations as may apply – to:

1. Request a copy of the personal information held about the individual;
2. Rectify any inaccurate personal data held about the individual;
3. Erase personal information held about the individual;
4. Restrict the processing of individual personal information;
5. Object to the use of individual personal information for our legitimate interests;
6. Receive individual personal information in a structured commonly used and machine-readable format and to have that data transmitted to another data controller.

If you wish to exercise any of these rights please contact us at the school as outlined. Ballinahinch N.S. will endeavour to respond to your request within a month. If we are unable to deal with your request within a month we may extend this period by a further two months and we will explain why.

You also have the right to lodge a complaint to the office of the Data Protection Commission.

Updates

Ballinahinch N.S. will continue to update this data protection policy. Any updates will be made available to members of the school community and where appropriate notified to you.

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Policy Review, Ratification & Communication

This policy was updated in Ballinahinch National School in **September 2026** and ratified by the Board of Management on Monday 5th October 2026.

This policy will be reviewed every four years, however it may be reviewed at an earlier time should the need arise. Parents and staff will be informed of any amendments made.

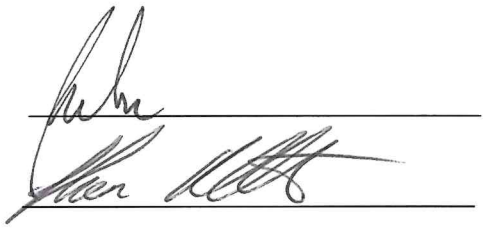
The policy has been made available to school personnel, published on the school website and provided to the Parents Association.

Monitoring & Evaluation

The implementation of this policy will be monitored by the Principal and Board of Management.

Signed by Chairperson

Signed by Principal



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