



Data Protection Policy

Loreto College

Swords

Introduction

The characteristic spirit of Loreto College has at its core a desire to promote and protect the dignity of every member of its community, students, staff and parents. This includes respect for the protection of data stored at the school and for the right of access to this data. This policy is informed by these aspirations and also the Data Protection Acts of 1988 and 2003. The policy applies to all school staff, the Board of Management, parents/guardians, students, (including prospective students) and their parents/guardians and applicants for positions within the school.

The Board of Management of Loreto College is committed to the principles of responsible data protection as outlined in the acts referred to above and to this end it will:

- obtain and fairly process personal data
- keep data for one or more specified lawful purposes
- process only data in ways compatible with the purposes for which it was given initially
- securely store personal data
- ensure that personal data is accurate and up-to-date
- ensure that only relevant data is sought and stored
- retain data no longer than is necessary for the specified purpose or purposes for which it was given
- furnish a copy of personal data, or sensitive personal data to any individual, on request

Definitions as they pertain to this Policy

For the purpose of this policy the following definitions apply:

Data means information in a form that can be processed. It includes both *automated data* (e.g. electronic data) and *manual data*. *Automated data* means any information on computer, or information recorded with the intention that it be *processed* by computer. *Manual data* means information that is kept/recorded as part of a *relevant filing system* or with the intention that it forms part of a relevant filing system.

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, quickly and easily accessible.

Personal Data means data relating to 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.

Sensitive Personal Data refers to *Personal Data* regarding a person's

- racial or ethnic origin, political opinions or religious or philosophical beliefs
- membership of a trade union
- physical or mental health condition or sexuality
- commission or alleged commission of any offence or

Data Controller for the purpose of this policy is the Board of Management, Loreto College.

Wider Legal Obligations

The provisions of this policy take cognizance of the school's legal obligations and responsibilities in areas directly relevant to data protection, as outlined below:

- Under Section 9(g) of the [Education Act, 1998](#), the parents of a student, or a student who has reached the age of 18 years, must be given access to records kept by the school relating to the progress of the student in their education
- Under Section 20 of the [Education \(Welfare\) Act, 2000](#), the school must maintain a register of all students attending the School.
- Under section 20(5) of the Education (Welfare) Act, 2000, a principal is obliged to notify certain information relating to the child's attendance in school and other matters relating to the child's educational progress to the principal of another school to which a student is transferring.
- Under Section 21 of the [Education \(Welfare\) Act, 2000](#), the school must record the attendance or non-attendance of students 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 (the Department of Education and Skills, the National Education Welfare Board, the National Council for Special Education, other schools, other centres of education) provided the School is satisfied that it will be used for a relevant purpose.
- Under Section 14 of the Education for Persons with Special Educational Needs Act, 2004, the school is required to furnish to the National Council for Special Education (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 schools are not currently subject to freedom of information legislation, if a school has furnished information to a body covered by the Freedom of Information Act (such as the Department of Education and Skills, etc.) these records could be disclosed 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
- Under *Children First: National Guidance for the Protection and Welfare of Children* (2011) published by the Department of Children & Youth Affairs, schools, their boards of management and their staff have responsibilities to report child abuse or neglect to TUSLA - Child and Family Agency (or in the event of an emergency and the unavailability of TUSLA, to An Garda Síochána).

Managing Personal Data

At Loreto College the personal data records sought and retained by the school may include but are not limited to those listed below:

A. Student records:

It is the responsibility of parents/guardians to inform the school of any update to their daughter's data.

Categories of student data: These **may** include:

- Information which may be sought and recorded at enrolment and may be collated and compiled during the course of the student's time in the school. These records may include:
 - name, address and contact details, PPS number
 - date and place 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
 - membership of the Traveller community, where relevant
 - whether they (or their parents) are medical card holders
 - whether English is the student's first language and/or whether the student 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 student)
- psychological, psychiatric and/or medical assessments
- attendance records
- records of significant achievements
- whether the student is repeating the Leaving Certificate
- whether the student is exempt from studying Irish
- records of disciplinary issues/investigations and/or sanctions imposed
- garda vetting outcome record (where the student is engaged in work experience organised with or through the school/ETB which requires that they be Garda vetted)
- 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 student to State departments and/or other agencies under mandatory reporting legislation and/or child safeguarding guidelines (subject to the DES Child Protection Procedures).
- examination results including state examinations

The rationale for seeking and retaining student records is as follows:

- to enable each student to develop to her full potential
- to comply with legislative or administrative requirements
- to ensure that eligible students 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 of their daughter's educational progress
- to meet the educational, social, physical and emotional requirements of the student
- to celebrate school achievements, compile yearbooks, establish a school website, record school events, and to keep a record of the history of the school.
- to ensure that the student meets the school's admission criteria

- to ensure that students meet the minimum age requirements for their course,
- to ensure that any student seeking an exemption from Gaeilge meets the criteria in order to obtain such an exemption from the authorities
- to furnish documentation/ information about the student to the Department of Education and Skills, the National Council for Special Education, TUSLA, and other Schools etc. in compliance with law and directions issued by government departments
- to furnish, when requested by the student (or their parents/guardians in the case of a student under 18 years) documentation/information/ references to third-level educational institutions and/or prospective employers

Student data is kept both in manual form, within a relevant filing system and on computer files. Computer files require a password and employees are required to maintain the confidentiality of any data to which they have access.

B. *Staff records:*

It is the responsibility of staff to inform the school of any update to their personal data.

These staff records may include:

- name, address and contact details, PPS number
- 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 mandatory reporting legislation and/or child-safeguarding guidelines (subject to the DES Child Protection Procedures).
 - The rationale for seeking and retaining a staff member's personal data is as follows:
 - to facilitate the management and administration of school business
 - to facilitate the payment of staff, and calculate other benefits/ entitlements
 - to facilitate pension payments in the future
 - to manage human resources
 - to record 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 under the Safety, Health and Welfare At Work Act 2005
 - to enable the school to comply with requirements set down by the Department of Education and Skills, the Revenue Commissioners, the National Council for Special Education, TUSLA, the HSE, and any other governmental, statutory and/or regulatory departments and/or agencies
 - for compliance with legislation relevant to the school.

Staff data is kept both in manual form, within a relevant filing system and on computer files. Computer files require a password and employees are required to maintain the confidentiality of any data to which they have access.

C. Board of management records:

(a) **These may include:**

- Name, address and contact details of each member of the Board of Management (including former members)
- Records in relation to appointments to the Board
- Minutes of Board of Management meetings and correspondence to the Board that may include references to particular individuals.

The rationale for seeking and retaining Board of Management data is as follows:

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

Board of Management data is kept both in manual form, within a relevant filing system and on computer files. Computer files require password and employees and Board of Management members are required to maintain the confidentiality of any data to which they have access.

D Creditors/Debtors

The school may hold some or all of the following information about creditors and/or debtors:

- name
- address
- contact details
- PPS number
- tax details
- bank details
- amount paid
- amount owed

The rationale for seeking and retaining a creditor's/debtor's personal data is as follows:

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.

E October Returns

At the beginning of each academic year (and for 1st year or transferring students, on enrolment) parents/guardians and students are asked to provide the school with certain information so that the School can make returns to the Department of Education and Skills ("DES") referred to as "October Returns". These October Returns will include sensitive personal data regarding personal circumstances which are provided by

parents/guardians and students on the basis of explicit and informed consent. The October Return contains individualised data (such as an individual student's PPS number) which acts as an identifier for the DES to validate the data that belongs to a recognised student. The DES also transfers some of this data to other government departments and other State bodies to comply with legislation, such as transfers to the Department of Social Protection pursuant to the Social Welfare Acts, transfers to the State Examinations Commission, transfers to the Educational Research Centre, and transfers to the Central Statistics Office pursuant to the Statistics Acts. The data will also be used by the DES for statistical, policy-making and research purposes. However the DES advises that it does not use individual data, but rather aggregated data is grouped together for these purposes. The DES has a data protection policy which can be viewed on its website (www.education.ie). The DES has also published a "Fair Processing Notice" to explain how the personal data of students and contained in October Returns is processed. This can also be found on www.education.ie (search for Circular Letter 0047/2010 in the "Circulars" section).

The rationale for seeking and retaining personal data pertinent to October returns is as follows:

The school asks parents/guardians and students to complete October Returns for the purposes of complying with DES requirements to determine staffing and resource allocations and to facilitate the orderly running of the school.

Personal data pertaining to October Returns is kept both in manual form, within a relevant filing system and on computer files. Computer files require password and employees are required to maintain the confidentiality of any data to which they have access.

Processing Data Access Requests

The Data Protection Acts, 1988 and 2003 provide for a right of access by an individual data subject to personal information held by Loreto College. A person seeking information, the Data Subject, is required to familiarise himself/herself with this policy and complete the data access request form (see Appendix 1). This may apply to a staff member or student seeking information on his or her own behalf or maybe a parent/guardian seeking information on behalf of his or her own daughter. No information will be supplied that relates to another individual.

Students making access requests

Where a student (aged under 18 years) makes an access request, the school will inform the student that:

- (a) their parents will be informed that they have done so and
- (b) a complete copy of the access request materials being furnished to the data subject by the school will also be furnished to the student's parent/guardian.

There may be some data held by the school which may be of a sensitive nature and the school will have regard to the following guidance issued by the Office of the Data Protection Commissioner in relation to releasing such data:

- A student aged **eighteen years or older** (and not suffering under any medical disability or medical condition which may impair his or her capacity to give consent) may give consent themselves.
- If a student aged **eighteen years or older** has some disability or medical condition which may impair his or her ability to understand the information, then parental/guardian consent will be sought by the school before releasing the data to the student.
- While a student aged from **twelve up to and including seventeen** can be given access to their personal data, depending on the age of the student and the nature of the record, i.e. it is suggested that:
 - If the information is ordinary, routine or non-controversial (e.g. a record of a test result) the student could readily be given access
 - If the information is of a sensitive nature, parental/guardian consent will be sought before releasing the data to the student
 - If the information would be likely to be harmful to the individual concerned, parental/guardian consent will be sought before releasing the data to the student.
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Parents making access requests on behalf of their daughter

Where a parent/guardian makes an access request on behalf of their daughter (a student aged under 18 years), the right of access is a right of the data subject (i.e. it is the student's right). In such a case, the access materials will be sent to the daughter, not to the parent who requested them. This means that the access request documentation will be sent to the address at which the student is registered on the school's records and will be addressed to the daughter. Where a parent/guardian is unhappy with this arrangement, the parent/guardian is invited to make an application to court under section 11 of the Guardianship of Infants Act 1964. This provision enables the court (on application by a guardian) to make a direction on any question affecting the welfare of the child. Where a court issues an order stating that a school should make certain information available to a parent/guardian, a copy of the order should be given to the school by the parent/guardian and the school can release the data on foot of the court order.

Others making an access request

On making an access request, any individual about whom Loreto College keeps *Personal Data*, is entitled to:

- a copy of the data which is kept about him/her (unless one of the exemptions or prohibitions under the Data Protection Acts apply, in which case the individual will be notified of this and informed of their right to make a complaint to the Data Protection Commissioner)
- know the purpose/s for processing his/her data
- know the identity (or the categories) of those to whom the data is disclosed
- know the source of the data, unless it is contrary to public interest

Procedural Steps in Making a Data Access Request:

1. The Data Subject should apply in writing requesting access to your data under section 4 Data Protection Acts or, alternatively, request an Access Request Form (Appendix 1) which will assist the school in processing the access request more quickly.
2. The Data Subject will be provided with a form which will assist the school in locating all relevant information that is held subject to the exceptions and prohibitions outlined in Appendix 3. The school reserves the right to request official proof of identity (e.g. photographic identification such as a passport or driver's licence) where there is any doubt on the issue of identification
3. On receipt of the Access Request Form, the Principal will check the validity of the access request and check that sufficient information to locate the data requested has been supplied. It may be necessary for the Principal to contact the data subject in the event that further details are required with a view to processing the access request.
4. The Principal will log the date of receipt of the valid request and keep a note of all steps taken to locate and collate the requested data.
5. The Principal will ensure that all relevant manual files and computers are checked for the data in respect of which the access request is made.
6. The Principal will ensure that the information is supplied promptly and within the advised timeframes in items 7, 8 and 9 as appropriate.
7. Where a request is made under Section 3 of the Data Protection Acts, the following information will be supplied: (i) what the school holds by way of personal information about the data subject (or in the case of a request under Section 3 made by a parent/guardian of a student aged under 18 years, then the personal information held about that student) and (ii) a description of the data together with details of the purposes for which his/her data is being kept. Actual copies of personal files will not be supplied. No personal data can be supplied relating to another individual. A response to a request will be provided within 21 days of receipt of the access request form and no fee will apply.
8. Where a request is made under Section 4 of the Data Protection Acts, the following information will be supplied within 40 days and an administration fee of €6.35 will apply. The Data Subject is entitled to:
 - a copy of the data which is kept about him/her (unless one of the exemptions or prohibitions under the Data Protection Acts applies, in which case the individual will be notified of this and informed of their right to make a complaint to the Data Protection Commissioner)
 - be advised of the purpose/s for processing his/her data
 - be advised of the identity (or the categories) of those to whom the data is disclosed
 - be advised of the source of the data, unless it is contrary to public interest
9. Where a request is made with respect to examination results an increased time limit of 60 days from the date of the first publication of the results or from the date of the access request, whichever is the later will apply.
10. Before supplying the information requested by the Data Subject (or where the access request is made on behalf of a student aged under 18 years, information relating to that student), the Principal will check each item of data to establish:
 - If any of the exemptions or restrictions (Appendix 3) set out under the Data Protection Acts apply, which would result in that item of data not being released, or

- where the data is health data, whether the obligation to consult with the data subject's medical practitioner applies, or
 - where the data is social work data, whether the prohibition on release applies.
11. If data relating to a Third Party is involved, it will not be disclosed without the consent of that Third party or alternatively the data will be anonymised in order to conceal the identity of the third party. Where it is not possible to anonymise the data to ensure that the Third Party is not identified, then that item of data may not be released.
 12. Where a school may be unsure as to what information to disclose, the school reserves the right to seek legal advice.
 13. The Principal will ensure that the information is provided in an intelligible form (e.g. codes explained) where possible.
 14. The documents supplied will be numbered where appropriate.
 15. The Principal will sign off on the data supplied.
 16. The school reserves the right to supply personal information to an individual in an electronic format e.g. on USB, CD etc.
 17. Where a subsequent or similar access request is made after the first request has been complied with, the school has discretion as to what constitutes a reasonable interval between access requests and this will be assessed on a case-by case basis.
 18. Where an individual data subject may seek to rectify incorrect information maintained by the school, he/she should notify the school and a form will be supplied for this purpose. The data subject should however note that the right to rectify or delete personal data is not absolute. He/She has the right to make a complaint to the Data Protection Commissioner about a refusal. Where the school declines to rectify or delete the personal data as instructed, the school may propose to supplement the personal record, pursuant to section 6(1)(b) Data Protection Acts.
 19. In circumstances where access request is refused Loreto College will write to the data subject explaining the reasons for the refusal and the administration fee, if provided, will be returned. In such circumstances, the Data Subject has the right to make a complaint to the Office of the Data Protection Commissioner www.dataprotection.ie. Similarly, the administration access fee will be refunded if the school has to rectify, supplement or erase personal data.
 20. Where requests are made for CCTV footage pursuant the school's CCTV policy, an application must be made in writing and the timeframe for response is within 40 days. In providing a copy of personal data, the school may provide the materials in the form of a still/series of still pictures, a tape, disk, USB, with relevant images. Other people's images will be obscured before the data is released. If other people's images cannot be obscured, then the images/recordings may not be released.

Appealing a Decision in Relation to a Data Access Request

The Board of Management of Loreto College is respectful of the right of the Data Subject to appeal a decision made in relation to a request for data from this school. To appeal a decision, the Data Subject is advised to write to or email the Data Protection Commissioner explaining the case:-

Canal House, Station Road, Portarlinton, Co. Laois
info@dataprotection.ie

The correspondence should include

- the name of this school
- the steps taken to have concerns dealt with
- details of all emails, phone calls, letters between the Data Subject and this school.

This policy was ratified by the Board of Management of Loreto College on 7th June 2016.

It will be reviewed every three years or more often should the Board of Management think it necessary in light of changed or amended legislation. Any review will continue to be guided by the school's characteristic spirit and commitment to its responsibilities under data protection legislation.



Appendix 1

Loreto College

Data Access Request Form

Request for a copy of Personal Data under the Data Protection Act 1988 and Data Protection (Amendment) Act 2003

Important: Proof of Identity must accompany this Access Request Form (eg. official/State photographic identity document such as driver's licence, passport).

A fee of €6.35 must accompany this Access Request Form if it is a Section 4 Data Access Request together with proof of identity (eg. official/State photographic identity document such as driver's licence, passport).

Full Name	
Maiden Name (<i>if name used during</i> your school duration)	
Address	
Contact number *	Email addresses *

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

Please tick the box which applies to you:

Student <input type="checkbox"/>	Parent/Guardian of student <input type="checkbox"/>	Former Student <input type="checkbox"/>	Current Staff <input type="checkbox"/>	Former Staff <input type="checkbox"/>
Age: Year group/class:	Name of Student:	Insert Year of leaving:		Insert From/To: Years

Section 3 Data Access Request:

I,[insert name] wish to be informed whether or not *Loreto College* holds personal data about me/my daughter and to be provided with a description of this data and to be informed of the purpose for holding such data. I am making this access request under **Section 3** of the Data Protection Acts.

OR

Section 4 Data Access Request:

I, [insert name] wish to make an access request for a copy of any personal data that *Loreto College* holds about me/my daughter. I am making this access request under **Section 4** of the Data Protection Acts.

Section 4 Data Access Request only: I attach €6.35

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 (otherwise it may be very difficult or impossible for the school/ETB to locate the data)).

Signed

Date

Checklist: Have you:

- 1) Completed the Access Request Form in full?
- 2) Included a cheque or postal order made payable to *Loreto College* in the amount of €6.35 where a Section 4 request is made? (Please do not send us €6.35 if you are making a request under section 3. There is no administration charge for a section 3 request, and if you send us a cheque, it will be returned to you).
- 3) Signed and dated the Access Request Form?
- 4) Included a photocopy of official/State photographic identity document (driver's licence, passport etc).

Please return this form to: The Principal, Loreto College

Appendix 2

Records Retention Schedule

Loreto College

Retention of Records

Loreto College, in its role as a Data Controller, is conscious of its statutory obligations to be fully transparent in relation to the length of time for which personal data will be kept. The Board of Management has put in place procedures to ensure compliance with all directives in relation to the storing and retention of data sought by the school.

Below are listed guidelines to the length of time various categories of data are stored at the school:

Student Records	Duration	Final disposition	Comments
Registers/Roll books	Indefinitely	N/A	Indefinitely. Archived when class leaves + 2 years
State exam results	N/A	N/A	SEC responsibility to retain, not a requirement for school/ETB to retain.

Enrolment Forms	Student reaching 18 years + 7 years	Confidential shredding	18 is age of 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)
Student transfer forms (Applies from primary to primary; from one second-level school to another)	Student reaching 18 years + 7 years	Confidential shredding	Student reaching 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)
Disciplinary notes	Never destroy	N/A	Never destroy
Results of in-school tests/exams (i.e. end of term, end of year exams, assessment results)	Student reaching 18 years + 7 years	Confidential shredding	18 is age of 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).
End of term/year reports	Student reaching 18 years + 7 years	Confidential shredding	18 is age of 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)
Records of school tours/trips, including permission slips, itinerary reports	Never destroy	N/A	Never destroy
Scholarship applications e.g. Gaeltacht, book rental scheme	Student reaching 18 years + 7 years	Confidential shredding	18 is age of 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)
Garda vetting form & outcome - STUDENTS	Record of outcome retained for 12 months.	Confidential shredding	Record of outcome retained for 12 months. School to retain the reference number and date of disclosure on file, which can be checked with An Garda Síochana in the future.

Student Sensitive Personal Data	Duration	Final disposition	Comments
Psychological assessments	Indefinitely	N/A	Never destroy
Special Education Needs' files, reviews, correspondence and Individual Education Plans	Indefinitely	N/A	Never destroy
Accident reports	Indefinitely	N/A	Never destroy
Child protection records	Indefinitely	N/A	Never destroy
Section 29 appeal records	Student reaching 18 years + 7 years	Confidential shredding	Student reaching 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)
Enrolment/transfer forms where child is not enrolled or refused enrolment	Student reaching 18 years + 7 years	Confidential shredding	Student reaching 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)
Records of complaints made by parents/ guardians	Depends entirely on the nature of the complaint.	Confidential shredding or N/A, depending on the nature of the records.	Depends entirely on the nature of the complaint. If it is child-safeguarding, a complaint relating to teacher-handling, or an accident, then retain indefinitely. Never destroy. If it is a complaint of a more mundane nature (e.g. misspelling of child's name, parent not being contacted to be informed of parent-teacher meeting) or other minor matter, then student reaching 18 years + 7 years (6 years in which to take a claim, and 1 year for proceedings to be served on school)

Unsuccessful Candidates for Interview	Final disposition	Comments
Applications & CVs of candidates called for interview	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relation Commission to inform the school that a claim is being taken.
Database of applications	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relations Commission to inform the school that a claim is being taken.
Selection criteria	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relations Commission to inform the school that a claim is being taken.
Applications of candidates not shortlisted	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relations Commission to inform the school that a claim is being taken.
Unsolicited applications for jobs	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relations Commission to inform the school that a claim is being taken.
Candidates shortlisted but unsuccessful at interview	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relations Commission to inform the school that a claim is being taken.

Candidates shortlisted and are successful but do not accept offer	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relations Commission to inform the school that a claim is being taken.
Interview board marking scheme & board notes	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relations Commission to inform the school that a claim is being taken.
Panel recommendation by interview board	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relations Commission to inform the school that a claim is being taken.

Staff personnel files	Final Disposition	Comments
e.g. applications, qualifications, references, recruitment, job specification, contract, Teaching Council registration, records of staff training etc.	Confidential shredding. Retain an anonymised sample for archival purposes.	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)
Application &/CV	Confidential shredding	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)
Interview: database of applications (the section which relates to the employee only)	Confidential shredding	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)

Selection criteria	Confidential shredding	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)
Interview board marking scheme & board notes	Confidential shredding	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)
Panel recommendation by interview board	Confidential shredding	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)
Recruitment medical	Confidential shredding	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)
Job specification/description	Confidential shredding	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)
Contract/Conditions of employment	Confidential shredding	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)
Probation letters/forms	Confidential shredding	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)
POR applications and correspondence (whether successful or not)	Confidential shredding	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)
Leave of absence applications, including jobshare, career break, maternity/paternity leave, parental leave, force majeure and carer's leave	Confidential shredding	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)

Allegations/complaints	Confidential shredding	Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served). 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.
Grievance and Disciplinary records	Confidential shredding	Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served). 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.

Sickness absence records/certificates	Confidential shredding or N/A (see comment)	Re sick leave scheme (1 in 4 rule) ref DES C/L 0060/2010 Retain for 7 years (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 relates to an accident/ injury/ incident sustained in relation to or in connection with the individual's duties within the school, in which case, do not destroy.
Pre-employment medical assessment. Occupational health referral, correspondence re retirement on ill-health grounds, medical assessments or referrals	Confidential shredding or N/A (see comment)	Retain for 7 years (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 relates to an accident/ injury/ incident sustained in relation to or in connection with the individual's duties within the school, in which case, do not destroy.
Accident/injury at work reports	Confidential shredding or N/A (see comment)	Retain for 10 years, or the duration of the 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), whichever is the greater (unless sickness absence relates to an accident/ injury/ incident sustained in relation to or in connection with the individual's duties within the school, in which case, do not destroy).
Sick leave records (sick benefit forms)	Confidential shredding	In case of audit/refunds, Current year 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)

Records of previous service (incl. correspondence with previous employers)	N/A	DES advises that these should be kept indefinitely.
Pension calculation, pension increases	Confidential shredding	Duration of employment + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) or for the life of employee/former employee 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) (whichever is the longer)
Salary claim forms	Confidential shredding	Duration of employment + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) or for the life of employee/former employee 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) (whichever is the longer)

Any government returns which identify individual staff/pupils,		N/A	Depends upon the nature of the return. If it relates to pay/pension/benefits of staff, keep indefinitely as per DES guidelines. If it relates to information on students, e.g. October Returns, Annual Census etc., keep in line with "Student Records" guidelines above.
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Board of Management Records	Final disposition	Comments
Board agenda and minutes	N/A	Indefinitely. These should be stored securely on school property
School closure		On school closure, records should be transferred as per Records Retention in the event of school closure/amalgamation . A decommissioning exercise should take place with respect to archiving and recording data.
Other school based reports/minutes	Final disposition	Comments
CCTV recordings	Safe/secure deletion.	28 days in the normal course, but longer on a case-by-case basis e.g. where recordings/images are requested by An Garda Síochána as part of an investigation or where the records /images capture issues such as damage/vandalism to school property and where the images/recordings are retained to investigate those issues.
Principal's monthly report including staff absences	N/A	Indefinitely. Administrative log and does not relate to any one employee in particular: the monthly reports are not structured, either by reference to individuals or by reference to criteria relating to individuals, in such a way that specific information relating to a particular individual is readily accessible. Not a "relevant filing system".
Financial Records		
Audited Accounts		
Payroll and taxation		
Invoices/back-up records/receipts		

Promotion process	Final Disposition	Comments
Posts of Responsibility	N/A	Retain indefinitely on master file as it relates to pay/pension etc. (See DES guidelines)
Calculation of service	N/A	Retain indefinitely on master file
Promotions/POR Board master files	N/A	Retain indefinitely on master file
Promotions/POR Boards assessment report files	N/A	Retain original on personnel file in line with retention periods in "Staff Records" retention guidelines above
POR appeal documents	N/A	Retain original on personnel file, and copy of master & appeal file. Retain for duration of employment + 7 years (6 years in which to take a claim, plus 1 year to serve proceedings on school). Copy on master and appeal file.
Correspondence from candidates re feedback	N/A	Depends upon nature of feedback. If feedback is from unsuccessful candidate who is not an employee within the school, keep in line with retention periods in "Staff Records" above. If feedback is from successful candidate or from unsuccessful candidate who is already an employee within the school, keep in line with "Staff personnel while in employment" above.

Appendix 3

Exceptions to the Right of Access

A Data Subject about whom Loreto College holds personal information does not have a right to see such information where any of the following circumstances apply.

1. If the information is kept for the purpose of preventing, detecting or investigating offences, apprehending or prosecuting offenders, or assessing / collecting any taxes or duties: but only in cases where allowing the right of access would be likely to impede any such activities
2. If the information is kept for certain anti-fraud functions: but only in cases where allowing the right of access would be likely to impede any such functions
3. If granting the right of access would be likely to harm the international relations of the State
4. If the information concerns an estimate of damages or compensation in respect of a claim against the School where granting the right of access would be likely to harm the interests of the School
5. If the information would be subject to legal professional privilege in court
6. If the information is kept only for the purpose of statistics or carrying out research, but only where the information is not disclosed to anyone else, and where the results of the statistical work or research are not made available in a form that identifies any of the individuals involved
7. If the information is back-up data.