



# Hospital School CHI at Temple Street

Temple Street, D01 YC67, Ireland

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## DATA PROTECTION POLICY

Signed

Mr. Robert O'Connor, Chairperson BOM

Signed

Ann Higgins, School Principal

Date:

08 October 2024

Date of Next Review:

October 2025





## DATA PROTECTION POLICY

### 1. BACKGROUND INFORMATION

**Hospital School CHI at Temple Street is located at CHI at Temple Street.** Hospital School CHI is a designated by the Department of Education (the “DE”) as a Special School. Hospital School CHI provides for education to patients while they are in CHI at Temple Street (CHI TS) once they have been declared by CHI TS medical staff as medically fit to attend the School. The full range of the Primary School Curriculum and coursework for the Junior Cycle and Leaving Certificate programme is taught. The School accommodates Junior and Leaving Certificate State Examinations.

The number of pupils in Hospital School CHI varies in accordance with admissions to CHI at TS. The length of time the pupils spend in school corresponds with time spent as a patient in CHI at TS. The School caters for pupils who are in-patients, repeat day patients or patients from CHI at TS attending other hospitals for treatment and who have been referred by medical staff. The pupil profile includes

- Pupils who attend 1 to 3 days per week.
- Pupils who attend regularly for periods of 1 week or more
- A large group of pupils are transient and may be in hospital for an extended length of time, weeks or days.

The school catchment area extends to all parts of Ireland and Northern Ireland. Practically all of the pupils are enrolled in other schools

### 2. INTRODUCTORY STATEMENT

2.1 The School’s Data Protection Policy (this “Policy”) applies to all School staff, the BoM, parents/guardians, students and others (including prospective or potential students and their parents/guardians and applicants for staff positions within the School) insofar as the data will be stored securely, so that confidential information is protected in compliance with relevant legislation. This sets out the manner in which personal data and special categories of personal data will be protected. School/Board of management (BoM”) handles or processes their Personal Data in the course of their dealings with the School.

2.2 A person’s data is protected by the Data Protection Acts 1988 to 2018 and the EU General Data Personal Regulation (“GDPR”).

2.3 The BoM has overall responsibility for the development and implementation of this policy. Data will be stored securely, so that confidential information is protected in compliance with relevant legislation. This Policy sets out the manner in which personal data and special categories of personal data will be protected and processed by the School.

2.4 The School operates a “*Privacy by Design*” method in relation to Data Protection. This means we plan carefully when gathering personal data so that we build in the **data protection principles** as integral elements of all data operations in advance. We audit the personal data we hold in order to

- 2.4.1 be able to provide access to individuals to their data
- 2.4.2 ensure it is held securely
- 2.4.3 document our data protection procedures
- 2.4.4 enhance accountability and transparency

2.5 The objectives of this Policy are to set out the School’s obligations in relation to the processing of personal data and to explain those obligations to students and their parents/guardians.

2.6 The aim of this policy is to respect the privacy and data protection rights of students,

Parents / guardians, all employees and other school personnel.

2.7 This Policy applies to the keeping and processing of *Personal Data*, both in manual and electronic form.

### 3. OTHER LEGAL OBLIGATIONS

3.1 Implementation of this policy takes into account the School's other legal obligations and responsibilities. Some of these are directly relevant to data protection. **For example:**

3.1.1 **Section 9(g) of the Education Act, 1998**, as amended (the "1998 Act") provides that 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

3.1.2 **Section 20 of the Education (Welfare) Act 2000**, as amended (the "2000 Act") provides that the School must maintain a register of all students attending the School

3.1.3 **Section 20(5) of the 2000 Act**, provides that 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. Hospital School CHI sends, by hard copy attendance, record of work completed and recommendations.

3.1.4 **Section 21 of the 2000 Act provides that School** must record the attendance or non-attendance of students registered at the School on each school day.

3.1.5 **Section 28 of the 2000 Act** provides that the School may supply *Personal Data* kept by it to certain prescribed bodies (the DE, Tusla, the National Council for Special Education and other schools) provided the School is satisfied that it will be used for a 'relevant purpose' (which includes recording a person's educational or training history or monitoring their educational or training progress; in order to ascertain how best they may be assisted in availing of educational or training opportunities or in developing their educational potential or for carrying out research into examinations, participation in education and the general effectiveness of education or training)

3.1.6 **Section 14 of the Education for Persons with Special Educational Needs Act, 2004 (the "2004" Act)** provides that the School is required to furnish to the National Council for Special Education (and its employees, which would include Special Educational Needs Organisers) such information as the Council may from time to time reasonably Request.

3.1.7 The **Freedom of Information Act 2014** 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 most schools are not currently subject to freedom of information legislation, (with the exception of schools under the direction of Education and Training Boards), if a school has furnished information to a body covered by the Freedom of Information Act (such as the DE etc.) these records could be disclosed by that body if a request is made to that body.

3.1.8 **Section 26(4) of the Health Act 1947** provides that 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.

3.1.9 The **Children First Act 2015**, Children First: National Guidance for the Protection and Welfare of Children (2017) and the DE Child Protection Procedures for Primary and Post Primary Schools Revised (2023), provide that schools, their BoM and their staff have responsibilities to report child abuse or neglect to TULSA.

3.1.10 *The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act, 2012* provides that it is an offence to withhold information on certain offences against children and vulnerable adults from An Garda Síochána. Accordingly the School is required to report such matters to An Garda Síochána.

3.1.11 *Data Protection Act 2018* - the Data Protection Commissioner has been replaced by the Data Protection Commission and the website [www.dataprotection.ie](http://www.dataprotection.ie)

#### 4. DATA PROTECTION PRINCIPLES

The BoM is a *data controller of personal data* relating to its past, present and future staff, students, parents/guardians and other members of the School community. There are a number of fundamental principles upon which Data Protection Legislation is based. These are as follows:

Personal data shall be:

- i. Processed lawfully, fairly and in a transparent manner in relation to the data subject (**“lawfulness, fairness and transparency”**):
- ii. Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes (**“purpose limitation”**):
- iii. Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (**“data minimization”**):
- iv. Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (**“accuracy”**);
- v. Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organizational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject (**“storage limitation”**);
- vi. Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures (**“integrity and confidentiality”**).

The School will ensure that it complies with all of these principles both in the processing it currently carries out and as part of the introduction of new methods of processing, for example, the introduction of new IT systems.

#### 4.1 Lawfulness, Fairness and Transparency

There are six alternative ways in which the lawfulness of a specific case of processing of personal data may be established under Data Protection Legislation. It is the School’s policy to identify the appropriate basis for processing and to document it, in accordance with Data Protection Legislation. The options are described in brief in the following sections.

##### 4.1.1 Consent

- (i) Unless it is necessary for a reason allowable in Data Protection Legislation, the School will always obtain explicit consent from a data subject to collect and process his/her data. In case of children below the age of 16 (a lower age may be allowable in specific EU member states) parental consent will be obtained. Transparent information about our usage of their personal data will be provided to data subjects at the time that consent is obtained and their rights with regard to their data explained, such as the right to withdraw consent. This information will be

provided in an accessible form, written in clear language and free of charge (i.e. by way of a Privacy Notice).

- (ii) If the personal data are not obtained directly from the data subject then this information will be provided to the data subject within a reasonable period after the data are obtained and definitely within one month.

#### 4.1.2 **Performance of a Contract**

Where the personal data collected and processed are required to fulfil a contract with the data subject, explicit consent is not required. This will often be the case where the contract cannot be completed without the personal data in question.

#### 4.1.3 **Legal Obligation**

If the personal data is required to be collect and processed in order to comply with the law, then explicit consent is not required. This may be the case for some data related to employment and taxation for example, and as outlined in section 3 above.

#### 4.1.4 **Vital Interests of the Data Subject**

In a case where the personal data are required to protect the vital interests of the data subject or of another natural personal, then this may be used as the lawful basis of the processing. The School will retain reasonable, documented evidence that this is the case, whenever this reason is used as the lawful basis of the processing of personal data. As an example, this may be used in aspects of social care.

#### 4.1.5 **Task Carried Out in the Public Interest**

Where the School needs to perform a task that it believes is in the public interest or as part of an official duty they the data subject's consent will not be requested. The assessment of the public interest or official duty will be documented and made available as evidence where required.

#### 4.1.6 **Legitimate Interests**

If the processing of specific personal data is in the legitimate interests of the School and is judged not to affect the rights and freedoms of the data subject in a significant way, then this may be defined as the lawful reason for the processing. Again, the reasoning behind this view will be documented.

### 4.2 **Purpose Limitation**

4.2.1 The School collects Personal data only for specified, explicit and legitimate purposes. It is not further processed in any manner incompatible with those purposes.

4.2.2 The School will not use personal data for new, different or incompatible purposes from that disclosed when it was first obtained unless it has informed the data subject of the new purposes and they have consented where necessary.

### 4.3 **Data Minimisation**

4.3.1 The School will not collect excessive data and will ensure any personal data collected is adequate and relevant for the intended purposes.

4.3.2 The School will ensure that when personal data is no longer needed for specified purposes, it is deleted or anonymised in accordance with our data retention guidelines.

### 4.4 **Accuracy**

4.4.1 The School will ensure that the personal data we use and hold is accurate, complete, kept up to date and relevant to the purpose for which it was collected. The School will check the accuracy

of any personal data at the point of collection and at regular intervals afterwards. The School will take all reasonable steps to destroy or amend inaccurate or out-of-date personal data.

#### 4.5 **Storage Limitation**

- 4.5.1 Personal data will not be kept in an identifiable form for longer than is necessary for the purposes for which the data is processed.
- 4.5.2 The School will not keep personal data in a form which permits the identification of the data subject for longer than needed for the legitimate purpose or purposes for which it was originally collected, including for the purpose of satisfying any legal, accounting or reporting requirements.
- 4.5.3 The School will maintain retention policies and procedures to ensure personal data is deleted after a reasonable time for the purposes for which it was being held, unless a law requires such data to be kept for a minimum time.
- 4.5.4 The School will take all reasonable steps to destroy or erase from our system all personal data that we no longer require in accordance with all our applicable records retention schedules and policies. This includes requiring third parties to delete such data where applicable.
- 4.5.5 The School will ensure data subjects are informed of the period for which data is stored and how that period is determined.

#### 4.6 **Security Integrity and Confidentiality**

##### 4.6.1 Protecting Personal data

- (i) The School ensures the maximum security of data that is processed, including as a priority, when it is shared, disclosed and transferred.
- (ii) The School carries out information audits to ensure that all personal data held and processed by us is accounted for and recorded, alongside risk assessments as to the scope and impact a data breach could have on data subject(s). We have implemented adequate and appropriate technical and organization measures to ensure a level of security appropriate to the risk.

##### 4.6.2 Reporting a Personal Data Breach

- (i) It is the School's policy to be fair and proportionate when considering the actions to be taken to inform affected parties regarding breaches of personal data.
- (ii) In line with Data Protection Legislation where a breach is known to have occurred which is likely to result in a risk to the rights and freedoms of individuals, the relevant supervisor authority will be informed within 72 hours.
- (iii) If a data processor becomes aware of a personal data breach, it must bring this to the attention of the BoM without undue delay.

### 5. **ACCOUNTABILITY**

#### 5.1 **Addressing Compliance to Data Protection Legislation**

The School must implement appropriate technical and organisational measures in an effective manner, to ensure compliance with data protection principles. The following actions are undertaken to ensure that the School complies at all times with the accountability principle of Data protection Legislation:

- (i) The legal basis for processing personal data is clear and unambiguous;
- (ii) All staff involved in handling personal data understand their responsibilities for following good data protection practice;
- (iii) Training in data protection will be provided by the Information Governance Co-Ordinator at CHI at TS to all school staff;

- (iv) Rules regarding consent are followed;
- (v) Routes are available to data subjects wishing to exercise their rights regarding personal data and such enquiries are handled effectively;
- (vi) Regular reviews of procedures involving personal data are carried out;
- (vii) Privacy by design is adopted for all new or changed systems and processes;
- (viii) The following documentation or processing activities is recorded:
  - (a) Organisation name and relevant details;
  - (b) Purposes of personal data processing;
  - (c) Categories of individuals and personal data processed;
  - (d) Categories of personal data recipients;
  - (e) Agreements and mechanisms for transfers of personal data to non-EU countries including details of controls in place;
  - (f) Personal data retention schedules;
  - (g) Relevant technical and organizational controls in place.

These actions are reviewed on a regular basis as part of the management process concerned with data protection.

## 6. **TRANSFER LIMITATION**

- 6.1 Transfers of personal data outside the EEA will be carefully reviewed prior to the transfer taking place to ensure that they fall within the limits imposed by Data Protection Legislation. This depends partly on the European Commission's judgment as to the adequacy of the safeguards for personal data applicable in the receiving country and this may change over time.
- 6.2 Data Protection Legislation restricts data transfers to countries outside the EEA in order to ensure that the level of data protection afforded to individuals by the GDPR is not undermined. You transfer personal data originating in one country across borders when you transmit, send, view or access that data in or to a different country.
- 6.3 Personal data may only be transferred outside the EEA if one of the following conditions applies:
  - (i) the European Commission has issued a decision confirming that the country to which we transfer the personal data ensures an adequate level of protection for the Data Subject's rights and freedoms;
  - (ii) appropriate safeguards are in place such as binding corporate rules (BCR), standard contractual clauses approved by the European Commission, an approved code of conduct or a certification mechanism;
  - (iii) the data subject has provided explicit consent to the proposed transfer after being informed of any potential risks; or
  - (iv) The transfer is necessary for one of the other reasons set out in Data Protection Legislation including the performance of a contract between the School and the data subject, reasons of public interest, to establish, exercise or defend legal claims or to protect the vital interest of the data subject where the data subject is physically or legally incapable of giving consent and, in some limited cases, for our legitimate interest.

## 7. **CCTV IMAGES/RECORDINGS**

CCTV is installed in CHI at TS. This CCTV system may record images of staff, students and members of the public who visit the hospital premises.

Please see the Hospital's CCTV policy for further information. The Information Governance Coordinator will ensure compliance with the Data Protection Act in respect of CCTV.

## 8. PROCESSING IN LINE WITH A DATA SUBJECT'S RIGHTS

### 8.1 Right of Access:

8.1.1 You have the right to obtain confirmation as to whether or not your personal data is being processed by the School, and, where that is the case, access to the personal data and the following information:

- (a) The purposes of the processing;
- (b) The categories of personal data concerned;
- (c) The recipients or categories of recipient to whom your personal data have been or will be disclosed, in particular recipients in third countries or international organisations; (and where your data are transferred to a third country or to an international organization, you shall have the right to be informed of the appropriate safeguards);
- (d) Where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period.
- (e) The existence of the right to ask the School to rectify or erase your personal data or restrict the processing of your personal data or to object to such processing;
- (f) The right to lodge a complaint with the Data Protection Commissioner;
- (g) Where your personal data is not collected directly from you, any available information as to their source;
- (h) The existence of automated decision-making, including profiling, and, meaningful information about the logic involved, as well as the significance and the possible consequences of such processing for you.

8.2 Where we receive such a request, the School reserves the right to request such official identification documentation (e.g. passport or driver's licence) from you.

8.3 Where a valid request has been received, the School shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, the School reserves the right to charge a reasonable fee based on administrative costs.

8.4 Where you make the request by electronic means, and unless otherwise requested by you, the information shall be provided in a commonly used electronic form.

8.5 The right to obtain a copy of your data shall not adversely affect the rights and freedoms of others.

8.6 The School has the right to refuse an access request in certain circumstances outlined in Data Protection legislation.

8.7 If data relating to a third party is involved, it will not be disclosed without the consequences of that third party or alternatively the data will be anonymised in order to conceal the identity of the third party.

8.8 The School reserves the right to supply personal information to an individual in an electronic format e.g. on tape, USB, CD etc. If the requested data are CCTV recording, the School reserves the right to release this either (a) in soft copy footage, or (b) in still images (photos) at a rate of

one photograph per second of video. If the CCTV footage includes images of other people, their images may be pixelated or otherwise blanked out.

## 8.9 Right to rectification

- 8.9.1 Where the School is processing inaccurate personal data, you have the right to have those inaccuracies rectified.
- 8.9.2 Taking into account the purposes of the processing, you have the right to have incomplete personal data completed (including by means of your providing us with a supplementary statement).

## 8.10 Right to be forgotten

8.10.1 You may have the right to be forgotten/the right to erasure of your personal data, subject to certain condition.

8.10.2 The Right to be Forgotten shall apply only where:

- a. the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- b. where the processing is based on Consent and there is no other legal ground for the processing, and you now wish to withdraw that consent;
- c. you object to the processing pursuant to Articles 21(1) and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2) (direct marketing);
- d. your data have been unlawfully processed.
- e. your data have been erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;
- f. your data have been collected in relation to the offer of information society services referred to in Article 8(1).

8.10.3 Notification: Where the School has made the personal data public and is obliged pursuant to Article 17(1) GDPR to erase the personal data, the School, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the data subject has requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

8.10.4 The Right to be Forgotten (and the notification referred to at (9.9.3) above) shall **not** apply to the extent that the processing is necessary:

- a. For exercising the right of freedom of expression and information;
- b. For compliance with a legal obligation which requires processing by Union or Member State law to which the School is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- c. For reasons of public interest in the area of public health in accordance with Articles 9(2)(h) and (i), as well as Article 9(3);
- d. For archiving purposes in the public interest, scientific or historical research purposes of statistical purposes in accordance with Article 89(1) in so far as the right referred to in paragraph 1 is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- e. For the establishment, exercise or defence of legal claim.

## 8.11 Right to restrict processing

8.11.1 You have the right to request us to restrict our processing your personal data subject to the conditions set out in Article 18 GDPR.

8.11.2 If the right to restriction arises one of the following applies:

- a. you are contesting the accuracy of your personal data, for a period enabling the School to verify the accuracy of your personal data.
- b. the processing is unlawful and you are opposing the erasure of the personal data and are requesting the restriction of the use of your data instead.
- c. the School no longer needs the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defence of legal claims;
- d. you have objected to processing pursuant to Article 21(1) pending the verification whether the legitimate grounds of the controller override those of the data subject.

8.11.3 Where processing has been restricted, such personal data shall (with the exception of storage) only be processed with your consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

8.11.4 Where you have restricted our processing of your data pursuant to Article 18(1), you shall be informed by the School before the restriction of processing is lifted.

## 8.12 Right to data portability

8.12.1 You shall have the right to data portability per Article 20 GDPR. This means that you shall receipt your personal data, which you have provided to the School, in a structured, commonly used and machine-readable format.

8.12.2 The right to data portability applies where:

(i) the processing is based on Consent (Article 6(1)(g) or Article 9(2)(a), or on a Contract Article 6(1)(b); and

(ii) the processing is carried out by automated means.

8.12.3 For the avoidance of doubt, the right to data portability does not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

8.12.4 The right to data portability shall not adversely affect the rights and freedoms of others.

8.12.5 You have the right to transmit those data to another controller without hindrance from the School to which the personal data have been provided.

8.12.6 In exercising your right to data portability, you shall have the right to have The personal data transmitted directly from one controller to another, where technically feasible.

## 8.13 Right to Object

8.13.1 You shall have the right to object, on grounds relating to your particular situation, at any time, to processing of your personal data based on;

(a) Public Interests (Article 6(1)(e)

(b) Legitimate interests (Article 6(1)(f).

Including the right to object to profiling based on those provisions.

8.13.2 the School will no longer process your personal data unless it demonstrates compelling genuine grounds for the processing which override your interests, rights and freedoms, or for the establishment, exercise or defence of legal claims.

8.13.3 Where personal data are processed for direct marketing purposes, you shall have the right to object at any time to processing of your personal data for such marketing, which includes profiling to the extent that it is related to such direct marketing.

8.13.4 Where you object to processing fir direct marketing purposes, your personal data shall no longer be processed for such purposes.

8.13.5 You have the right to object to processing based solely on automated means, including profiling, which produces legal effects concerning you or similarly significantly affects you however the School does not engage in automated decision making.

**8.14 Data controller's obligation to notify others**

8.14.1 The School shall communicate any rectification or erasure of personal data, or restriction of processing carried out to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort.

8.14.2 The School shall inform you about those recipients if you request it.

**8.15 General information relating to all the rights referred to above**

8.15.1 Upon receipt of a valid request, the School shall attend to your request without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests. The School shall inform you of any such extension within one month of receipt of the request, together with the reasons for the delay.

8.15.2 in the case of an access request, 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.

8.15.3 If the School does not take action on foot of the request of the data subject, the controller shall inform you without delay and at the latest within one month of receipt of the request of the reasons for not taking action and on the possibility of lodging a complaint with the Data Protection Commissioner and seeking a judicial remedy.

8.15.4 Where requests from you are manifestly unfounded or excessive, in particular because of their repetitive character, the School may either: (a) charge a reasonable fee taking into account the administrative costs of providing the information or communication or taking the action requests; or (b) refuse to act on the request.

**9. PROVIDING INFORMATION OVER THE PHONE**

An employee dealing with telephone enquiries should be careful about disclosing any personal information held by the School over the phone. In particular, the employee should;

- Ask that the caller to put their request in writing.
- Refer the request to the Principal for assistance in difficult situation.
- Not feel forced into disclosing personal information.

**10. THIRD PARTY PROCESSORS**

10.1 The BoM as the data controller shall use only processors providing sufficient guarantees to implement appropriate technical and organisational measures to protect the data.

10.2 the processor shall not engage another processor without prior specific or general written authorisation of the controller. In the case of general written authorisation, the processor shall inform the controller of any intended changes concerning the addition or replacement of other processors.

10.3 The processor must ensure that any relationship with a sub processor contains similar clauses as contained within the School's Data Protection Policy.

## 11. LINKS TO OTHER POLICIES AND TO CURRICULUM DELIVERY

Our school policies need to be consistent with one another, within the framework of the overall School Plan. Relevant school policies already in place or being developed or reviewed, shall be examined with reference to the *Data Protection Policy* and any implications which it has for them shall be addressed.

- Child Protection Procedures & Safeguarding Statement (Revised Annually)
- Anti-Bullying Procedures (Bi Cinealta) (For Revision November 2024)
- Code of Behaviour (Revised Annually)
- Admissions Policy (Revised Annually)
- ICT Acceptable Usage Policy (February 2024)
- Data Processing Agreement (2021)
- Assessment Policy (March 2023)
- Special Educational Needs Policy (February 2024)
- Critical Incident Policy (January 2023)

## 12. IMPLEMENTATION ARRANGEMENTS, ROLES AND RESPONSIBILITIES

The BoM is the data controller and the Principal implements the Data Protection Policy, ensuring that staff who handle or have access to *Personal Data* are familiar with their data protection responsibilities

The following personnel have responsibility for implementing the Data Protection Policy:

<b>Name</b>	<b>Responsibility</b>
Board of Management:	Data Controller
Principal:	Implementation of Policy

## RATIFICATION & COMMUNICATION

Ratified at the BoM meeting on 8<sup>th</sup> October 2024 and signed by Chairperson.  
Secretary recorded the ratification in the Minutes of the meeting

## MONITORING THE IMPLEMENTATION OF THIS POLICY

The implementation of this policy shall be monitored by the Principal, staff and the BoM.

## REVIEWING AND EVALUATING THIS POLICY

This policy will be reviewed and evaluated after 2 years. On-going review and evaluation will take cognisance of changing information or guidelines (e.g. from the Data Protection Commissioner, DES or TUSLA), legislation and feedback from parents/guardians, students, school staff and others. This policy will be revised as necessary in the light of such review and evaluation and within the framework of school planning.

## APPENDIX 1

### Meaning of key terms used in this document

“Data Controller”	means the School and anyone else who (either alone or jointly with others) determines the purposes and means of the processing of personal data.
“Data Record”	means the document that sets out who’s personal data the School holds, what personal data the School holds, where they hold the data, why they need it and with whom they share it;
“Data Processor”	means anyone who processes data on behalf of an organisation,. These may include: IT software providers with maintenance services and the hosts of its servers, payroll providers etc;
“EEA”	means the European Economic Area (i.e. the EU member countries plus Iceland, Norway and Liechtenstein);
“General Data	means Regulation (EU) 2016/679 of the European Parliament and of Protection the Council on the protection of natural persons with regard to Regulation/GDPR” the processing of personal data and on the free movement of such data. It applies as of 25 May 2018. The GDPR applies directly in all member states without the need for any implementing legislation.
“Office of the Data Protection/ Commission/Data Protection Commission/ ODPC”	means the Irish data protection authority for the purposes of Data Protection Legislation. It is empowered to take enforcement action in the event of non-compliance with Data Protection legislation and/or other privacy laws. In addition, it is empowered to issue guidance and codes of practice about this. Its guidance and codes do not have the force of law but it is expected by the ODPC that data controllers will adhere to them;
“Personal Data”	Means information held by an organisation (or advisers or service providers) from which individuals can be identified (referred to as a “Data Subject”). An identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, on online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person.
“Processing/ process”	means any operation or set of operations which is performed on processed/ personal data or on sets of personal data, whether or not by automated means, such as collection, record, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. In effect, it includes any activity involving personal data.
“Sensitive Personal data (or special Categories of Personal data as It is referred to In GDPR”)	means information about an individual which relates to certain sensitive issues including his/her health, sexual orientation/sex life or whether he/she has been convicted of any criminal offence. This also includes information which reveals 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 (i.e. an individual).



**Hospital School CHI at Temple Street**



**ROLL NO. 17890H**

## **DATA PROTECTION NOTICE**

**Dear Parents/Guardians**

Hospital School CHI at Temple Street is an education facility located in CHI at Temple Street and available to patients so that they can continue their education. Pupils aged 4-18 years who are in-patients or repeat day patients are eligible to be enrolled.

Name, date of birth, contact details and attendance will be recorded and retained together with the academic record on the school's secure database.

Following the introduction of the General Data Protection Regulations - May 25<sup>th</sup>, 2018 Hospital School CHI at Temple Street takes its responsibilities under GDPR very seriously. The school fully respects the privacy of your personal data and has the necessary systems in place to keep your data secure.

**October 2024**

