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## **INTRODUCTION**

This Privacy Notice is your guide to the principles of privacy and confidentiality which govern the collection, use, storage, disclosure and destruction of your personal and sensitive data at Scoil Triest Special School, Brothers of Charity, Lota, Glanmire, Co. Cork, Ireland.

The Board of Management of Scoil Triest Special School is the Data Controller (referred to as "we", "us" and "our"). The School Roll Number is 19760E.

The **Data Protection Officer (DPO)** at Scoil Triest Special School is Noeline Kavanagh

We are committed to:

- Abiding by the Irish Data Protection Act, 2018 and the General Data Protection Regulation (GDPR).
- Respecting your right to confidentiality and privacy.

## **THE REASON WHY WE COLLECT YOUR DATA & OUR LAWFUL BASES**

We collect your personal and sensitive data from you in a variety of ways in connection with the delivery of education at our school. We will keep and use it to enable us to operate the school and manage our relationship with you effectively, lawfully and appropriately, during the application and enrolment process, while you are a student at our school and when you leave the school.

Below is a list of the types of data we collect from you and the corresponding Lawful Bases.

- To ensure that you meet the school's admission criteria and the minimum age requirement for attendance at Scoil Triest In your application for enrolment, we process your: name; surname; date of birth; PPS Number (PPSN); address; nationality; birth certificate; programme subjects & courses exemptions, including any special arrangements with regard to guardianship, custody or access (our Lawful Basis is **Legal Obligation**);
- To provide you with appropriate education and support we identify your preferred medium of learning Irish/English; previous educational history, psychometric testing results (where applicable); psychological assessment results (where applicable) (our Lawful Basis is **Legal Obligation**);
- When you decide to join our book rental scheme (our Lawful Bases are **Purpose of a Contract** and **Legitimate Interest**);
- If you receive support on getting to and from the school using a Transportation Scheme (our Lawful Bases is **Legal Obligation**);
- To monitor your academic progress and to comply with our monitoring and reporting obligations to Government bodies we process your state examination results, classroom-based assessments and exam results (our Lawful Basis is **Legal Obligation**);
- To care for your health and well-being, we process information about your medical conditions; Parent/Guardian's name; phone number; home address; mobile number; emergency contact person & their contact details, your General Practitioner's name, address & telephone number (our Lawful Basis is **Vital Interest**).
- In the case of school closure, or to inform parents/guardians of your educational progress or to inform them of school events, etc., we process your Parent/Guardian's name; phone number; home address; mobile number (our Lawful Basis is **Legitimate Interest**).
- If you, your parent/guardian completes our Consent Form we may process photos of you with your classmates, tours, matches, awards, etc., (our Lawful Basis is **Consent**).

- If applicable, we will process your data in connection with disciplinary issues/investigations and/or sanctions imposed (our Lawful Basis is ***Legal Obligation***).
- In the unfortunate event that you experience an accident or incident, we will record your personal data and any health implications as per the Safety, Health and Welfare at Work Act, 2005 (our Lawful Basis is ***Legal Obligation***).
- If applicable, under Children First Act 2015, *mandated persons in schools* have responsibilities to report child welfare concerns to TUSLA Child and Family Agency (or in the event of an emergency and the unavailability of TUSLA, to An Garda Síochána) (our Lawful Basis is ***Legal Obligation***).
- We record your attendance and non-attendance at school under Section 21 of the Education (Welfare) Act, 2000 (our Lawful Basis is ***Legal Obligation***).

In the course of providing you with an education, we may process specific sensitive data. We rely on exceptions contained in Article 9 of the GDPR and the Data Protection Act 2018 to process this information.

If you do not provide your data to us, we may be unable in some circumstances to comply with our obligations and we will tell you about the implications of that decision.

## **WHEN YOU PROVIDE YOUR CONSENT**

There are some activities where we process personal information with your (or your parent/guardian's) permission, which you can withdraw at any time. An example is where we want to use your photograph to promote the school. We would ask your permission (or your parents/guardians) first and you can withdraw your consent at any time. We will indicate in this Privacy Notice where we rely on ***Consent***.

## **WITHDRAWING YOUR CONSENT**

Where we may rely on consent to use your information, you have the right to revoke that consent for that processing activity at any time. However, we may have the right

to rely on an alternative legal basis for the processing activity and will inform you of that.

Withdrawal of consent may still allow the processing of your data if:

- Processing is necessary for the performance of a contract with you.
- Processing is necessary for compliance with a legal obligation.
- Processing is necessary to protect your vital interest or that of another person.
- Processing is necessary for the performance of a task carried out in the public interest.
- Processing is necessary for the legitimate interests pursued by Scoil Triest Special School or a third party; except where such interests are overridden by your interests or fundamental rights and freedoms.

## **SHARING YOUR INFORMATION**

The level of sharing and the nature of what is shared depend on various factors. The Government bodies to which we transfer your personal data will use your personal data for their own purposes (including to verify other information they already hold about you, etc) and they may aggregate it with other information they already hold about you and your family. Scoil Triest Special School may provide some of the information contained in your personnel file to third-party, e.g., NCSE, TUSLA, An Garda Síochána, the Health Service Executive (HSE) and with other Government Department/Agencies in accordance with the law.

We also share your personal data with other third parties including our insurance company and other service providers (including IT providers, security providers, legal advisors, etc.).

We are legally required to provide certain records relating to your progress (under 18 years) in your education to your parents/guardians, including results of examinations.

We will only disclose information about you to third-parties if we are legally obliged to do so or where we need to comply with our contractual duties to you, for instance, we may need to pass on certain information to the Department of Education.

Some government bodies have a legal basis to inspect information contained in your personnel file and Scoil Triest Special School must make this information available to them, e.g., the State Examinations Commission, the Department of Education and Skills and the Data Protection Commission (DPC).

### **HOW DOES SCOIL TRIEST SPECIAL SCHOOL PROTECT YOUR DATA?**

Scoil Triest Special School shall employ reasonable and appropriate administrative, technical, personnel, procedural and physical measures to safeguard your information against loss, theft and unauthorised uses access, uses or modifications. All personal information stored in either password protected or is locked away in cabinets. Only a limited number of authorised staff members have access to this information.

The following principles apply:

- Confidentiality - only people who are authorised to use the data can access it.
- Scoil Triest Special School will ensure that only authorised persons have access to a staff personnel file and any other personal or sensitive data held.
- Employees are required to maintain the confidentiality of any data to which they have access, including all data relating to fellow staff, students, stakeholders and committee members.
- Integrity - that the personal data we hold about you is accurate and suitable for the purpose for which it is processed.
- Availability - that authorised users should be able to access the data if they need it for authorised purposes.

We ensure that when we outsource any processes that the service provider (i.e., “Data Processor”) has appropriate security measures in place.

## **UPDATING YOUR INFORMATION**

If at any stage the information you have provided changes (e.g., change of address, or surname), please contact our Data Protection Officer in writing so our records can be updated.

## **RETAINING YOUR INFORMATION**

There may be situations where we need to use your information to comply with **legal obligations**. We are required by law to keep your information on file for the purposes of complying with the relevant governmental agencies, Health and Safety legislation and also for Public Indemnity Insurance purposes.

We may retain your information for as long as necessary in light of the purposes set out in this Privacy Notice, including for the purposes of satisfying any legal or reporting requirements and, where required for Scoil Triest Special School to assert or defend against legal claims, until the end of the relevant retention period or until the claims in question have been settled. Paper files will be destroyed in a cross-cut shredder, and electronic records will be deleted.

Please refer to Scoil Triest Special School Retention Schedule for details on how long we store your personal data and why.

## **DATA TRANSFERS OUTSIDE OF THE EU OR EEA**

We do not transfer any personal data outside of the EU or EEA.

## **YOUR RIGHTS UNDER THE GDPR & THE DATA PROTECTION ACT, 2018**

You have rights in respect of our processing of your personal data which are:

- To access your personal data and information about our handling of it. You also have the right to request a copy of your personal data (but we will need to remove information about other people).
- To rectify incorrect personal data that we are processing.
- To request that we erase your personal data if:
  - We no longer need it;
  - If we are processing your personal data by consent and you withdraw that consent;
  - If we no longer have a legitimate ground to process your personal data;
  - or
  - We are processing your personal data unlawfully
- To object to our processing if it is by legitimate interest.
- To restrict our processing if it was by legitimate interest.
- To request that your personal data be transferred from us to another company if we were processing your data under a contract or with your consent and the processing is carried out automated means.

To exercise any of these rights, please contact us at **info@scoiltriest.ie** alternatively apply in writing to The Data Protection Officer, Scoil Triest Special School, Brothers of Charity, Lota, Glanmire, Co. Cork, Ireland.

You will need to enclose proof of identity, such as a copy of your driving licence or passport. You are encouraged to complete the Subject Access Request (SAR) Form to assist Scoil Triest Special School accurately identifying the location(s) of your (or your child's) personal data. Scoil Triest Special School will respond to you within 30 days to your request once it has received all the relevant information.

Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time. This means that we will stop processing your data. If you have provided consent for the processing of your data, you have the right (in certain circumstances) to withdraw that consent at any time which will not affect the lawfulness of the processing before your consent was withdrawn.

You have the right to lodge a complaint to the Data Protection Commission (DPC) if you believe that we have not complied with the requirements of the General Data Protection Regulation or the Data Protection Act, 2018 with regard to your personal data (see the contact detail under the heading 'Concerns, Complaints or Questions'.

## **DISCLOSURES REQUIRED BY LAW**

Your information will be disclosed where we are obliged by law to do so. We may also disclose your information where we are allowed by law to protect or enforce our rights or the rights of others and for the detection and prevention of crimes, such as theft.

## **CONCERNS, COMPLAINTS OR QUESTIONS**

If you have a privacy concern, complaint, or question for Scoil Triest Special School's Data Protection Officer, please contact us at [info@scoiltriest.ie](mailto:info@scoiltriest.ie) or telephone +353 (0) 21 4822916. Alternatively, you can contact us by writing to:

The Data Protection Officer (DPO),  
Scoil Triest Special School,  
Brothers of Charity,  
Lota,  
Glanmire,  
Co. Cork,  
Ireland

We will respond to questions or concerns within 30 days. You can also raise a concern or lodge a complaint with the Data Protection Commissioner (DPC).

Should you not be satisfied with our response to your concerns or believe that we have not complied with our data protection obligations you may lodge a complaint with the Data Protection Commission (DPC) in Ireland or the Statutory Authority in

your country of residence, who will be able to liaise with the Data Protection Commission (DPC).

The Data Protection Commission (DPC) can be contacted at:

**Post:** Data Protection Commission, Canal House, Station Road, Portarlinton, Co. Laois, Ireland, R32 AP23.

**Telephone:** +353 (0) 57 8684800

**Telephone:** +353 (0)761 104 800

**Lo-Call Number:** 1890 252 231

**E-mail:** [info@dataprotection.ie](mailto:info@dataprotection.ie)