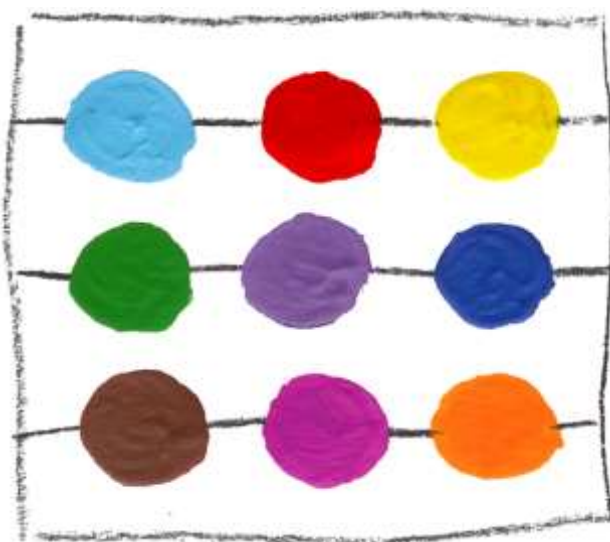


Record Keeping & Data Protection Policy



Carrigaline Educate Together N.S.

This document is intended to provide details of the main policies of Carrigaline Educate Together National School (CETNS) relating to Record Keeping & Data Protection. It is intended to help the school community, including staff, parents, guardians and other relevant parties to understand the environment and approach of the school. This document is regularly reviewed. All feedback is encouraged and welcome.

Version	Description	Authors
January 2010	Devising of the plan	Board of Management
November 2014	Amendments to existing policy	Board of Management
October 2016	Amendments to existing policy	Board of Management

School Contact Details

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Introductory Statement

The policy was originally formulated by a policy committee comprising of two members of the Board of Management, two parents and two teachers. Most recently, it has been reviewed by members of the policy committee and amendments have been made.

Rationale

It is necessary to devise a policy on record keeping as:

- Teaching is informed by pupil learning needs and the recording of where a pupil is in relation to his/her learning is a cornerstone of good teaching.
- The Education Act Section 9(g) provides that parents/guardians (or students of 18 years or upwards) are entitled to have access in the prescribed manner to records kept by the school relating to the progress of the student in his/her education.
- Attendance at school has a bearing on a pupil's attainment levels
- Education (Welfare) Act, 2000, requires Principals
 - To communicate to a school, to which a student is transferring, any problems relating to school attendance which the pupil concerned had and any other appropriate matter relating to the pupil's educational progress.
 - To keep a record of the pupil's attendance and the reasons for failure to attend
 - To inform the Educational Welfare Officer in writing, where a pupil is suspended for a period in excess of 6 days/or where a pupil is absent in excess of 20 school days in a school year/or where in the opinion of the principal the student is not attending regularly.
- The school's procedures need to be clarified to ensure that the school complies with the spirit as well as the letter of the law e.g. accountability and transparency.

Relationship to the characteristic spirit of the school

All efforts are made to ensure that this policy supports and promotes the ethos of Carrigaline Educate Together N.S.

Educate Together aims to meet a growing need in Irish society for schools that recognise the developing diversity of Irish life and the modern need for democratic management structures. In particular, Educate Together guarantees children and parents of all faiths and none equal respect in the operation and governing of education.

The schools operated by the member associations of Educate Together are fully recognised by the Irish Department of Education and Science and work under the same regulations and funding structures as other national schools. However, they have a distinct ethos or governing spirit. This has been defined in the following terms:

- **Equality based** i.e. all children having equal rights of access to the school, and children of all social, cultural and religious backgrounds being equally respected
- **Co-educational** and committed to encouraging all children to explore their full range of abilities and opportunities,
- **Child centred** in their approach to education

•**Democratically run** with active participation by parents in the daily life of the school, whilst positively affirming the professional role of the teachers (*Source: Educate Together Charter*)

Whilst the concepts of child-centredness and co-educationalism are now widely accepted in Irish primary education, what distinguishes the Educate Together schools is their hard work in developing a culturally inclusive and democratic ethos. This has pioneered unique approaches to inclusion of minority opinions and faiths in the Irish context.

The schools have developed education programmes which open the eyes of children to the naturally positive contribution that social, religious and cultural diversity and difference of viewpoint and opinion make to society.

The other characteristic feature of these schools is that they are democratically organised and governed. This maximises the potential for building a genuine partnership between the professional, objective role of the teacher and the necessarily personal involvement of the parent in contributing to their children's education.

Information taken from the Educate Together website www.educatetogether.ie

Carrigaline Educate Together N.S. makes the distinction between denominational education and moral/religious education. The ethical curriculum followed by the school is called the Learn Together Curriculum. It is comprised of four strands: *Morality & Spirituality, Equality & Justice, Belief systems, Ethics & the environment.*

The Record Keeping and Data Protection Policy recognises and endeavours to adopt the values that are set out in the ethos of the school. It attempts to support and sustain a harmonious environment in which potential is nurtured through the co-operation between staff, pupils, parents, board members and all other relevant parties.

Aims

This school aims:

- To record the educational progress that a pupil is making, thereby enabling parents and teachers to support the child's learning
- To report to parents in a meaningful way on the educational progress of their children
- To establish clear, practical procedures that will enable parents/guardians (or past pupils who have reached the age of 18) to access records relating to educational progress
- To ensure that this access is available within the capacity of the school to administer it
- To establish a clear understanding, shared by management, staff and parents, as to the types of records that are maintained and how such records should be made available
- To ensure that the school complies with legislative requirements while awaiting the issue of guidelines as to the 'prescribed manner' referred to in section 9(g) of the Education Act
- To ensure, insofar as possible, the school complies with legislative requirements / principles of good practice.

Statement of Types of Records

- Annual Report: an annual written report on each child's attainment levels/progress in each subject
- Standardised Tests: Results of standardised tests, as required and dictated by Circular 0138/2006 supporting Assessment in Primary Schools and Assessment in the Primary School Curriculum Guidelines for Schools (NCCA, 2007)
- Teacher-designed Tests: Results of some teacher-designed tests
- Screening Tests: The results of any screening tests
- Diagnostic Tests: The results of any diagnostic tests
- Samples of pupils' work
- Individual Education Plans, Individual Pupil Learning Profiles, Group Education Plans
- Records of attendance / absence: Roll books, explanations for absences – duly dated and stored for one year unless advised otherwise by EWO. Reports made to Educational Welfare Service under terms of Education Welfare Act
- Psychological Assessments: reports following psychological assessments
- Referrals for Learning Support / Visiting Teacher Service /Resource Teacher or other supplementary teaching and communications relating to this e.g. a record of parents'/guardians' decision not to allow the child to attend at learning support or resource teaching.
- Whole-school enrolment records
- Acknowledgement of adherence to the code of behaviour, signed by parents
- Records of child's breaches of code of behaviour
- A record of any serious injuries /accidents
- Indemnity form for administration of medicine

Guidelines for administration of records, including records related to employees

- School personnel, parents/guardians, past pupils who have reached 18 years of age, Welfare Officers, Second Level Schools, and HSE will have access to records as per Section 28 of the Education Welfare Act, 2000. Written authorisation from parents of students will be required before allowing access for all appropriate persons to the pupil's records. For specific occasions for example, the involvement of health professionals, specific parental authorisation is required where access to student records are required.
- Any request should be made in writing to the Principal. Arrangements will be agreed to review the records at a mutually acceptable time and date.
- Parents will have an opportunity to respond to reports at parent-teacher meetings
- The teachers, principal and secretary will have responsibility for ensuring that records are compiled and updated each year.
- Records will be kept in a safe and secure place. Access to information in the records will be strictly controlled and made available only to those rightfully entitled to it.
- Records will be retained after pupils transfer into adulthood according to the time limits set out in the Statute of Limitations 1957-2000
- Where reports are generated by external agencies (e.g. NEPS) permission will be sought from parents before allowing access to the reports by third parties e.g. another school
- In relation to employees, the following records will be kept: contracts, statutory declarations, CV/Standard Application Forms, teacher registration form, Occupational

Health Service records & disciplinary records. Records of attendance are available through the Online Claims System on www.esinet.ie. Ancillary staff records are kept in line with Revenue requirements.

Guidelines for Parents

Legal Principles applicable when dealing with parents

The provisions of the Constitution and the provisions of the Guardianship of Infants Act 1964 as amended reflect the relevant constitutional provisions. The Constitution in Article 41 gives recognition to the family and guarantees to protect the family in its constitution and authority. Case law has established that such constitutional protection extends only to a family based on marriage. Article 42.1 acknowledges that the primary and natural educator of the child is the family and guarantees to respect the inalienable right and duty of parents to provide, according to their means, for the religious and moral, intellectual, physical and social welfare of their children. Article 42.5 however, recognises that in exceptional cases where parents for physical or moral reason fail in their duty towards their children the State shall by appropriate means endeavour to supply the place of the parents but always with due regard for the natural and imprescriptible rights of the child.

The constitution therefore recognises and protects parental rights but also recognises and protects the rights of the child.

This balance is reflected in the provisions of the Guardianship of Infants Act 1964 as amended. The act gives effect to two concepts – that of guardianship and of custody. Where parents are married, both are guardians of their children and this position is set out in Section 6 of the 1964 Act as amended, which provides:

1. The father and mother of an infant shall be guardians of the child jointly
2. On the death of the father of a child, the mother if surviving shall be guardian of the child either alone or jointly, with any guardian appointed by the father or by the court.
3. On the death of the mother of a child the father, if surviving, shall be guardian of the child, either alone or jointly with any guardian appointed by the mother or by the court.
4. Where the mother of a child has not married the child's father, she, while living shall alone be the guardian of the child, unless a guardian has otherwise been appointed in accordance with this Act.

Section 10 provides that every guardian under the Act shall be a guardian of the person and of the estate of the child. The status of guardian carries with it the right to be consulted and to have input in regard to important decisions which affect the child. The 1964 Act provides mechanism whereby guardians who cannot agree in regard to what should take place in respect of a child can apply to a court for a direction in regard to the matter in dispute.

Where parents are separated, the following will apply;

The respective parents are required to notify the school of the separation and to request where necessary that they either together or separately be communicated in respect to their child/ren regarding the following:

- If communications being provided to pupils are required to be issued separately to either party
- Where meetings are arranged with the class teacher, will the parties attend together or will separate meetings be required.
- When school reports are issued to the child will a second be required for the other parent/guardian.
- Permission for school trips and activities will be required of both parents
- Medication indemnity forms will be required to be signed by both parents
- If a child is to be withdrawn from ethical education written confirmation must be provided and signed by both parents
- Removing the child from school during the day – the school must always be notified if any person is not authorised to remove or collect the child from school. The school cannot be held responsible in the absence of such written notification.
- In respect to legal custody the school will require the extract from a separation agreement, if such exists, or court order whichever is relevant. If there is no agreement the school will require the parents to seek a direction from the court so that a copy of the order or of the relevant part of the order, should be, made available to the school.

Success Criteria

- Systematic compilation of uniform records by staff
- Systematic reporting to parents on education progress in place
- Parent/pupils can access records without undue disruption of teaching time
- Storage of records is manageable

Roles & Responsibilities

- The Board of Management, Principal and Parent Association will notify parents of their entitlements and the procedures they should follow by making this policy available on the website and through including relevant information in relation to record-keeping and data protection in other policies.
- The Principal and the secretary will ensure that pupil files are securely stored, including when pupils transfer out of the school.
- The Principal will ensure that all confidential records in relation to a child with Special Educational Needs are securely stored.
- The Principal will ensure that all records in relation to staff are securely stored.
- The plan is supported, developed and implemented by all staff members, BOM, parents and other relevant parties.
- The Policy Committee will co-ordinate the progress of the plan, encourage and accept feedback on its implementation and report to staff on findings.

Implementation Date

This policy was implemented by February 2010. Amendments to the policy will take immediate effect following ratification by the Board of Management.

Timetable for Review

The operation of the policy will be reviewed and, if necessary, amended biennially.

Ratification & Communication

The proposed policy was communicated to members of the Board of Management prior to the meeting of the BOM on January 25th, 2010 and ratified therein.

Policy amendments were circulated to the members of the Board of Management prior to the meeting in November 2016. It was formally ratified on _____.

Notification that the plan is available for viewing will be communicated to the parents in the next School Communication. It will be available for viewing by appointment in the office.

Signed: _____
CHAIRPERSON of the BOM

Date: _____