



Principal: Stephen Donovan

Deputy Principal: Anne T. Hillery

## DATA PROTECTION POLICY

### INTRODUCTORY STATEMENT

The school's Data Protection Policy applies to the **personal data** held by the school's Board of Management (BoM), which is protected by the Data Protection Acts 1988 to 2018 and the EU General Data Protection Regulation (GDPR).

The policy applies to all school staff, the Board of Management, 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 measures under the policy relate to them. 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 by the school.

Scoil Naomh Eoin 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:

1. be able to provide access to individuals to their data
2. ensure it is held securely
3. document our data protection procedures
4. enhance accountability and transparency

### DATA PROTECTION PRINCIPLES

The school 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. As such, the BoM is obliged to comply with the principles of data protection set out in the Data Protection Acts 1988 to 2018 and GDPR, which can be summarised as follows:

#### **1. Obtain and process Personal Data fairly**

Information on students is gathered with the help of parents/guardians and staff. Information is also transferred from their previous schools. In relation to information the school holds on other individuals (members of staff, individuals applying for positions within the School, parents/guardians of students, etc.), the information is generally furnished by the individuals themselves with full and informed consent and compiled during the course of their employment or contact with the School. All such data is treated in accordance with the Data Protection legislation and the terms of this Data Protection Policy. The information will be obtained and processed fairly.

#### **2. Consent**

Where consent is the basis for provision of personal data, (e.g. data required to join sports team/ after-school activity or any other optional school activity) the consent must be a freely-given, specific, informed and unambiguous indication of the data subject's wishes. Scoil Naomh Eoin will require a clear, affirmative action e.g. ticking of a box/signing a document to indicate consent,

ticking consent through Aladdin Connect Permissions function or Google form.. Consent can be withdrawn by data subjects in these situations.

**3. Keep it only for one or more specified and explicit lawful purposes**

The BoM will inform individuals of the reasons they collect their data and the uses to which their data will be put. All information is kept with the best interest of the individual in mind at all times.

**4. Process it only in ways compatible with the purposes for which it was given initially**

Data relating to individuals will only be processed in a manner consistent with the purposes for which it was gathered. Information will only be disclosed on a 'need to know' basis, and access to it will be strictly controlled.

**5. Keep Personal Data safe and secure**

Only those with a genuine reason for doing so may gain access to the information. Personal Data is securely stored under lock and key in the case of manual records and protected with computer software and password protection in the case of electronically stored data. Portable devices storing personal data (such as laptops) are password-protected and sensitive files encrypted.

**6. Keep Personal Data accurate, complete and up-to-date**

Students, parents/guardians, and/or staff should inform the school of any change which the school should make to their personal data and/or sensitive personal data to ensure that the individual's data is accurate, complete and up-to-date. Once informed, the school will make all necessary changes to the relevant records. Records must not be altered or destroyed without proper authorisation. If alteration/correction is required, then a note of the fact of such authorisation and the alteration(s) to be made to any original record/documentation should be dated and signed by the person making that change.

**7. Ensure that it is adequate, relevant and not excessive**

Only the necessary amount of information required to provide an adequate service will be gathered and stored.

**8. Retain it no longer than is necessary for the specified purpose or purposes for which it was given**

As a general rule, the information will be kept for the duration of the individual's time in the school. Thereafter, the school will comply with DES guidelines on the storage of Personal Data relating to a student. In the case of members of staff, the school will comply with both DES guidelines and the requirements of the Revenue Commissioners with regard to the retention of records relating to employees. The school may also retain the data relating to an individual for a longer length of time for the purposes of complying with relevant provisions of law and or/defending a claim under employment legislation and/or contract and/or civil law. See **School Record Retention** table.

**9. Provide a copy of their personal data to any individual on request**

Individuals have a right to know and have access to a copy of personal data held about them, by whom, and the purpose for which it is held.

## **SCOPE**

The Data Protection legislation applies to the keeping and processing of *Personal Data*. The purpose of this policy is to assist the school to meet its statutory obligations, to explain those obligations to School staff, and to inform staff, students and their parents/guardians how their data will be treated.

The policy applies to all school staff, the Board of Management, 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 school handles or processes their *Personal Data* in the course of their dealings with the school.

### **Definition of Data Protection Terms**

In order to properly understand the school's obligations, there are some key terms, which should be understood by all relevant school staff:

**Personal Data** means any data relating to an identified or identifiable natural person i.e. 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 (BoM).

**Data Controller** is the Board of Management of the school

**Data Subject** - is an individual who is the subject of personal data

**Data Processing** - performing any operation or set of operations on data, including:

- Obtaining, recording or keeping the data,
- Collecting, organising, storing, altering or adapting the data
- Retrieving, consulting or using the data
- Disclosing the data by transmitting, disseminating or otherwise making it available
- Aligning, combining, blocking, erasing or destroying the data

**Data Processor** - a person who processes personal information on behalf of a data controller, but **does not include an employee of a data controller** who processes such data in the course of their employment, for example, this might mean an employee of an organisation to which the data controller out-sources work. The Data Protection legislation places responsibilities on such entities in relation to their processing of the data. Where Scoil Naomh Eoin employs external data processors the school will have in place a third party service agreement.

**Special categories of Personal Data** refers to *Personal Data* regarding a person's

- racial or ethnic origin
- political opinions or religious or philosophical beliefs
- physical or mental health
- sexual life and sexual orientation
- genetic and biometric data
- criminal convictions or the alleged commission of an offence
- trade union membership

**Personal Data Breach** – a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed. This means any compromise or loss of personal data, no matter how or where it occurs.

## **RATIONALE**

In addition to its legal obligations under the broad remit of educational legislation, the school has a legal responsibility to comply with the Data Protection Acts 1988 to 2018 and the GDPR.

This policy explains what sort of data is collected, why it is collected, for how long it will be stored and with whom it will be shared. The school takes its responsibilities under data protection law very seriously and wishes to put in place safe practices to safeguard individual's personal data. It is also recognised that recording factual information accurately and storing it safely facilitates an evaluation of the information, enabling the Principal and Board of Management to make decisions in respect of the efficient running of the School. The efficient handling of data is also essential to

ensure that there is consistency and continuity where there are changes of personnel within the school and Board of Management

## **OTHER LEGAL OBLIGATIONS**

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:**

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 upon request 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. Scoil Naomh Eoin sends, by post, a copy of a child's *Passport*, as provided by the National Council for Curriculum and Assessment, to the Principal of the Post-Primary School in which the pupil has been enrolled

Where reports on pupils which have been completed by professionals, apart from Scoil Naomh Eoin staff, are included in current pupil files, such reports are only passed to the Post-Primary school following express written permission having been sought and received from the parents of the said pupils. In the absence of such permission, parents may request a copy which they can personally give to the Post-Primary school.

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, Tusla, the National Council for Special Education and other schools). The BoM must be 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; or for carrying out research into examinations, participation in education and the general effectiveness of education or training)

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) such information as the Council may from time to time reasonably request

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 Department of Education and Skills, etc.) these records could be disclosed by that body 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 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)

## **RELATIONSHIP TO CHARACTERISTIC SPIRIT OF THE SCHOOL:**

Scoil Naomh Eoin seeks to:

- enable students to develop their full potential
- provide a safe and secure environment for learning

- promote respect for the diversity of values, beliefs, traditions, languages and ways of life in society

We aim to achieve these goals while respecting the privacy and data protection rights of students, staff, parents/guardians and others who interact with us. The school wishes to achieve these aims/missions while fully respecting individuals' rights to privacy and rights under the Data Protection legislation.

## **PERSONAL DATA**

The *Personal Data* records held by the school **may** include:

### **1. Staff records:**

#### **a) Categories of staff data:**

As well as existing members of staff (and former members of staff), these records may also relate to applicants applying for positions within the school, trainee teachers and teachers under probation. These staff records may include:

- Name, address and contact details, PPS number.
- Name and contact details of next-of-kin in case of emergency.
- 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 Children First Act 2015

#### **b) Purposes:**

Staff records are kept for the purposes of:

- the management and administration of school business (now and in the future)
- to facilitate the payment of staff, and calculate other benefits/entitlements (including reckonable service for the purpose of calculation of pension payments, entitlements and/or redundancy payments where relevant)
- to facilitate pension payments in the future
- human resources management
- recording 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, including the preservation of a safe, efficient working and teaching environment (including complying with its responsibilities 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 and for compliance with legislation relevant to the school.

#### **c) Location and Security procedures of Scoil Naomh Eoin:**

- a. Manual records are kept in a secure, locked filing cabinet in a locked administration office only accessible to personnel who are authorised to use the data. Employees are required to maintain the confidentiality of any data to which they have access.
- b. Digital records are stored on password-protected computer with adequate encryption and firewall software. The school has the burglar alarm activated during out-of-school hours.

### **2. Student records:**

#### **a) 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, medical needs, 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
- Photographs and recorded images of students (including at school events and noting achievements) are managed in line with the accompanying policy on school photography.
- Academic record – subjects studied, class assignments, examination results as recorded on official School reports
- Records of significant achievements
- Whether the student is exempt from studying Irish
- Records of disciplinary issues/investigations and/or sanctions imposed
- 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 Children First Act 2015.

**b) Purposes: The purposes for keeping student records include:**

- to enable each student to develop to his/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 child's educational progress or to inform parents of school events, etc.
- to meet the educational, social, physical and emotional requirements of the student
- photographs and recorded images of students are taken to celebrate school achievements, e.g. compile yearbooks, establish a school website, record school events, and to keep a record of the history of the school. Such records are taken and used in accordance with the 'School Photography Policy' and 'School Website Privacy Statement'.
- to ensure that the student meets the school's admission criteria
- to ensure that students meet the minimum age requirement for attendance at Primary School.
- to ensure that any student seeking an exemption from Irish 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 second-level educational institutions.

**c) Location and Security procedures of Scoil Naomh Eoin:**

- Manual records are kept securely in classrooms in a locked filing cabinet or storage room only accessible to personnel who are authorised to use the data. Employees are required to maintain the confidentiality of any data to which they have access. Some manual records of pupil data are stored securely in a locked filing cabinet in the school office.
- Digital records are stored on password-protected computer with adequate encryption and firewall software. The school has the burglar alarm activated during out-of-school hours.

### **3. Board of Management records:**

#### **a) Categories of Board of Management data:**

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

#### **b) Purposes:**

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.

#### **c) Location and Security procedures of Scoil Naomh Eoin:**

- Manual records are kept in a secure, locked filing cabinet in a locked administration office only accessible to personnel who are authorised to use the data. Employees are required to maintain the confidentiality of any data to which they have access.
- Digital records are stored on password-protected computer with adequate encryption and firewall software. The school has the burglar alarm activated during out-of-school hours.

### **4. Other Records: Creditors**

#### **a) Categories of Board of Management data:**

The school may hold some or all of the following information about creditors (some of whom are self-employed individuals):

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

#### **b) Purposes: The purposes for keeping creditor records are:**

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.

#### **C) Location and Security procedures of Scoil Naomh Eoin:**

- Manual records are kept in a secure, locked filing cabinet in a locked administration office only accessible to personnel who are authorised to use the data. Employees are required to maintain the confidentiality of any data to which they have access.
- Digital records are stored on password-protected computer with adequate encryption and firewall software. The school has the burglar alarm activated during out-of-school hours.

### **5. Other Records: Charity Tax-back Forms**

#### **a) Categories of Board of Management data:**

The school may hold the following data in relation to donors who have made charitable donations to the school:

- name
- address
- telephone number
- PPS number
- tax rate
- signature and
- the gross amount of the donation.

**b) Purposes: The purposes for keeping creditor records are:**

Schools are entitled to avail of the scheme of tax relief for donations of money they receive. To claim the relief, the donor must complete a certificate (CHY2) and forward it to the school to allow it to claim the grossed up amount of tax associated with the donation. The information requested on the appropriate certificate is the parents' name, address, PPS number, tax rate, telephone number, signature and the gross amount of the donation. This is retained by the School in the event of audit by the Revenue Commissioners.

**c) Location and Security procedures of Scoil Naomh Eoin:**

- *Manual records are kept in a secure, locked filing cabinet in a locked administration office only accessible to personnel who are authorised to use the data. Employees are required to maintain the confidentiality of any data to which they have access.*
- *Digital records are stored on password-protected computer with adequate encryption and firewall software. The school has the burglar alarm activated during out-of-school hours.*

**6. Other Records: Covid -19 Contact Tracing Log**

**a)Categories of Board of Management data:**

The school may hold the following data in relation to donors who have made charitable donations to the school:

- name
- address
- telephone number
- Visitor Status i.e Contractor, Parent etc.
- signature
- Company name
- Email address

**b)Purposes: The purpose for keeping a Contact Tracing Log**

Arising from the Public Health Emergency, the HSE will be provided with contact details, including dates of birth, of the pupils and staff in a pod/bubble/school in the event of a confirmed case of Covid 19. The sole purpose of this is to facilitate contact tracing for that event by the HSE and *necessary* for compliance with a legal obligation to which the data controller (the school in this instance) is subject (Article 6(1)(c) GDPR)." The Infectious Disease Regulations 1981 provide medical officers of health with the power to take steps, including the collection of personal data, as are necessary for preventing the spread of an infectious disease. Article 9(2)(i) GDPR and Section 53 of the Data Protection Act 2018, further enable the processing of health data by the public health authorities where necessary for public interest reasons in the area of public health including protecting against serious cross-border threats to health.

**c)Location and Security procedures of Scoil Naomh Eoin:**

- *Manual records are kept in a secure, locked filing cabinet in a locked administration office only accessible to personnel who are authorised to use the data. Employees are required to maintain the confidentiality of any data to which they have access.*

## **CCTV IMAGES/RECORDINGS-**

CCTV is installed in Scoil Naomh Eoin.

---- cameras are installed externally at the following locations: Front Door, Rear Door to new extension, middle yard, basketball court and car park

---- cameras are installed internally at the following locations: In the foyer covering the main entrance to the school

These CCTV systems may record images of staff, students and members of the public who visit the premises. The viewing station is in the main school administration office

**Purposes:**

Safety and security of staff, students and visitors and to safeguard school property and equipment.



**Security:**

Access to images/recordings is restricted to the Principal and Deputy Principal of the school. Recordings are retained for 28 days, except if required for the investigation of an incident. Images/recordings may be viewed or made available to An Garda Síochána pursuant to Data Protection Acts legislation.

**EXAMINATION RESULTS**

The school will hold data comprising examination results in respect of its students. These include class, mid-term, annual and continuous assessment results and the results of Standardised Tests

**Purposes:**

The main purpose for which these examination results are held is to monitor a student's progress and to provide a sound basis for advising them and their parents or guardian about educational attainment levels and recommendations for the future. The data may also be aggregated for statistical/reporting purposes, such as to compile results tables. The data may be transferred to the Department of Education and Skills, the National Council for Curriculum and Assessment and other schools to which pupils move.

**Location and Security procedures**

- Manual records are kept in a secure, locked filing cabinet in a locked administration office only accessible to personnel who are authorised to use the data. Employees are required to maintain the confidentiality of any data to which they have access.
- Digital records are stored on password-protected computer with adequate encryption and firewall software. The school has the burglar alarm activated during out-of-school hours.

**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.

The following policies may be among those considered:

- Pupil Online Database (POD): Collection of the data for the purposes of complying with the Department of Education and Skills' pupil online database.
- Child Protection Procedures
- Anti-Bullying Procedures
- Code of Behaviour
- Enrolment Policy
- ICT Acceptable User Policy
- Assessment Policy
- Special Educational Needs Policy
- Library Policy
- Book-Rental Policy
- Critical Incident Policy
- Attendance Policy
- Mobile Phone Policy

**PROCESSING IN LINE WITH A DATA SUBJECT'S RIGHTS**

Data in this school will be processed in line with the data subject's rights. Data subjects have a right to:

- Know what personal data the school is keeping on them
- Request access to *any data* held about them by a data controller
- Prevent the processing of their data for direct-marketing purposes
- Ask to have inaccurate data amended
- Ask to have data erased once it is no longer necessary or irrelevant.

### **Data Processors**

Where the school outsources to a data processor off-site, it is required by law to have a written contract in place a **Written Third party service agreement**. The third party agreement specifies the conditions under which the data may be processed, the security conditions attaching to the processing of the data and that the data must be deleted or returned upon completion or termination of the contract.

### **Personal Data Breaches**

All incidents in which personal data has been put at risk must be reported to the Office of the Data Protection Commissioner within 72 hours

When the personal data breach is likely to result in a high risk to the rights and freedoms of natural persons, the BoM must communicate the personal data breach to the data subject without undue delay

If a data processor becomes aware of a personal data breach, it must bring this to the attention of the data controller (BoM) without undue delay.

### **Dealing with a data access request**

Individuals are entitled to a copy of their personal data on written request

The individual is entitled to a copy of their personal data

Request must be responded to within one month. An extension may be required **e.g.** over holiday periods

No fee may be charged except in exceptional circumstances where the requests are repetitive or manifestly unfounded or excessive

No personal data can be supplied relating to another individual apart from the data subject

## **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 put their request in writing
- Refer the request to the Principal for assistance in difficult situations
- Not feel forced into disclosing personal information

## **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 the 29<sup>th</sup> of September 2020 and signed by Chairperson. Secretary recorded the ratification in the Minutes of the meeting

## **MONITORING THE IMPLEMENTATION OF THE POLICY**

The implementation of the policy shall be monitored by the Principal, staff and the Board of Management

## **REVIEWING AND EVALUATING THE POLICY**

The 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, Department of Education and Skills or TUSLA), legislation and feedback from parents/guardians, students, school staff and others. The policy will be revised as necessary in the light of such review and evaluation and within the framework of school planning

Signed: Deirdre Doyle  
*Chairperson*

Date: 29/09/2020

## APPENDIX 1: ALADDIN SCHOOLS PRIVACY AND GDPR COMPLIANCE

### PRIVACY STATEMENT

1. INTRODUCTION
2. WHO ARE WE?
3. WHO DOES THIS PRIVACY STATEMENT APPLY TO?
4. WHAT INFORMATION DO WE COLLECT FROM YOU?
5. WHAT DO WE DO WITH YOUR INFORMATION?
6. DISCLOSURE OF YOUR INFORMATION
7. SAFE-GUARDING YOUR PERSONAL DATA
8. COOKIES
9. YOUR RIGHTS
10. ACCESS TO INFORMATION
11. DISCLAIMER
12. RETENTION OF INFORMATION
13. HOW TO CONTACT US

#### 1. INTRODUCTION

This Privacy Statement (together with Our terms of use available at <https://www.aladdin.ie/content/terms> (the “**Terms of Use**”)) sets out the basis on which any personal data We collect from You, or that You provide to Us, will be processed by Us. Please read the following carefully to understand Our views and practices regarding the personal data We collect and how We will treat it. By visiting <https://www.aladdin.ie/> (“**Our Site**”) contacting Us and/or using the Aladdin software (“**Our Services**”) You are accepting and consenting to the practices described in this Privacy Statement.

We may update this Privacy Statement from time to time and will post any changes on Our Site so it might be a good idea to come back and read through it again, from time to time. This Privacy Statement was last updated in April 2018

#### 2. WHO ARE WE?

Any reference to “**We**”, “**Us**” and “**Our**” is to Cloudware Limited t/a Aladdin Schools, with registered address at Aladdin, First Floor, Block 1, Deansgrange Business Park, Co. Dublin, Ireland.

For the purpose of the Data Protection Act 1988 & 2003 (the “**Act**”), in providing Our Services, We act as data processors who process information on behalf of primary schools (the “**School**”) who are the data controllers for the purposes of the Act. The School allows Us to process Your information in connection with the School’s use of Our Services. It is the responsibility of the School to determine how Your information is processed by Us and We will follow the School’s instructions at all times. You should refer to the privacy statement of the School for further information as the School determines the purpose for which Your information will be processed in connection with Our Services.

#### 3. WHO DOES THIS PRIVACY STATEMENT APPLY TO?

This Privacy Statement applies to any person whose information We process on behalf of the School and who would be considered a data subject for the purposes of the Act. References to “**You**” and “**Your**” shall include School staff (both current and past), School pupils (both current and past) and their family, applicants for placement at the School and parents/guardians of children.

#### 4. WHAT INFORMATION DO WE COLLECT FROM YOU?

The information that We collect about You includes:

1. GENERAL DATA – This is information that You may give Us or the School by correspondence by phone, e-mail or otherwise. This includes information You provide when You use Our Site, Our Services and when You report a problem or receive support services in connection with Our Site and/or Our Services. The information You give Us may include but is not limited to the following information that We process on behalf of Schools:
  - your name, address, email address and phone number;
  - information relating to staff and teachers who use Our Site and/or Our Services including (but not limited to) their name, address, email address and phone number;

- information relating to children who are connected with the School, including (but not limited to), name, address, contact information (including emergency contacts), date of birth, ethnic origin, religion, nationality, photographs, medical information, family history, performance, evaluation, punctuality and attendance information; and
  - information relating to parents or guardians of those children including (but not limited to) their name, address, contact information, and ethnic origin.
2. TECHNICAL DATA - We may collect the following technical information on behalf of Schools:
- technical information, including the Internet protocol (IP) address used to connect Your device to the Internet, Your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform; and
  - information about Your visit to Our Site or use of Our Services, including the full Uniform Resource Locators (URL) clickstream to, through and from Our Site and Our Services (including date and time log); page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page and any phone number used to call Our customer service number.

## 5. WHAT DO WE DO WITH YOUR INFORMATION?

We may use the information collected in the following ways:

1. GENERAL DATA - We will use this information on behalf of the School to:
- carry out Our obligations arising from any contracts entered into between Us and the School, including the Terms of Use, and to provide the products and services requested from Us;
  - send communications to You about Our Site and/or Our Services including by SMS and push notification. We cannot guarantee that You will receive all communications from Us and We shall not be liable in the event that You do not receive such communications. You can opt out of receiving such communications by [contacting us](#) using the details below;
  - make notifications about changes to Our Services; and
  - ensure that content from Our Site is presented in the most effective manner.

If any sensitive personal data is collected (i.e. data relating to racial or ethnic origin, political or religious opinions, membership of a trade union, physical or mental health or condition or sexual life, the commission of any offence or related documentation) then You consent to Our processing this data in the manner set out in this Privacy Statement for and on behalf of the School. We do not control nor do We have any input into the content and information submitted to Our Site and Our Services, the School is responsible for ensuring that all appropriate consents are in place to allow Us to process the information on the Schools behalf.

2. TECHNICAL DATA - We will use this information on behalf of the School to:
- administer Our Site and Our Services and for internal operations, including support, troubleshooting, data analysis, testing, research, statistical and survey purposes;
  - provide information to Schools;
  - to improve Our Site and Our Services and to ensure that content is presented in the most effective manner for You and for Your device;
  - to allow You to participate in the interactive features of Our Service, when You choose to do so; and
  - as part of Our efforts to keep Our Services and Our Site safe and secure.

## 6. DISCLOSURE OF YOUR INFORMATION

We may share Your personal information with any member of Our group, which means Our affiliates and subsidiaries, Our ultimate holding company and its subsidiaries, as defined in the Companies Act (Ireland) 2014.

We will take every care to protect Your information and use it in accordance with the Schools instructions. In certain circumstances We may disclose it to certain third parties as follows:

- the School;
- business partners and sub-contractors for the performance of any contract We enter into with them in connection with Our Site and Our Services including; payment processors and hosting service providers;
- at the Schools request, We may disclose the information or receive information about You with government departments including with respect to the Primary Online Database run by the Department of Education and Skills;
- We may disclose the information relevant to any backup or hosting services to Google Inc. You can read more about the measures taken by Google to protect the security of their services and the information at: <https://cloud.google.com/security/compliance>.
- analytics and search engine providers that assist Us in the improvement and optimisation of Our Site. This consists of aggregated anonymous information only and relates to the web pages visited on Our Site and not the information included on those web pages;
- if We or substantially all of Our assets are acquired by a third party, in which case personal data held by Us will be one of the transferred assets;

- if We are under a duty to disclose or share Your personal data in order to comply with any legal obligation, or in order to enforce or apply the Terms of Use and other agreements; and/or
- to protect Our rights, property, or safety, or that of the School, You or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection.

## 7. SAFE GUARDING YOUR PERSONAL DATA

The information processed by Us, on behalf of the School, may be transferred to, and stored at Our hosting centres in the European Union. By submitting Your personal data, You and the School agree to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that the information is treated securely, in compliance with the instructions of the School and in accordance with this Privacy Statement and the relevant law. In particular, We have put in place appropriate physical, electronic, and managerial procedures to safeguard and secure the information We manage on behalf of Schools and the information We collect and manage on their behalf.

All information processed by Us is stored on Google's secure servers. To protect the privacy and security of Our Services, We will also take reasonable steps to verify Your identity before granting access to information. We also use secure connections to protect sensitive information during its transmission. Where You have been given (or where You have chosen) a password which enables You to access Our Services, You are responsible for keeping this password confidential. We ask You not to share Your password with anyone.

You should be aware that when You disclose personal information that information is available to the School and may be used by the School. Schools are solely responsible for the uses made of Your information and We have no responsibility for the actions of the Schools in this regard.

You should contact the School in the event that Your information needs to be updated or changed, for example in the event that Your contact details have changed. We shall not be responsible for any failure of the School to contact You, including where You have not provided the correct contact details.

If You have provided information to the School You understand that We process that information as an agent of the School. We may hold a back-up copy of the information that You submit, but only on behalf of the School. If You wish to modify or otherwise deal with Your personal information submitted directly to Us then You should contact the School directly, as they have responsibility for that personal information. We will comply with the School's instructions in respect of that personal information. If You wish to understand the School's data protection or privacy statement with regards to the dealings that it has with Your personal information then You should contact the School directly to establish such terms.

Although We will do Our best to protect Your personal data, We cannot guarantee the security of Your data transmitted to Our Site; any transmission is at Your own risk. Once We have received Your information, We will use strict procedures and security features to try to prevent unauthorised access.

## 8. COOKIES

Our Site uses cookies to distinguish You from other users of Our Site. This helps Us to provide You with a good experience when You browse Our Site and also allows Us to improve Our Site. For detailed information on the cookies We use and the purposes for which We use them see Our Cookie policy <https://www.aladdin.ie/cookies.html>.

You can set Your browser not to accept cookies. If You go to <https://www.aladdin.ie/cookies.html> it will tell You how to remove cookies from Your browser. However in a few cases some of the features of Our Site may not function as a result.

## 9. YOUR RIGHTS

Our site may, from time to time, contain links to and from third party websites including the website of the School. If You follow a link to any of these websites, please note that these websites have their own privacy statements and that We do not accept any responsibility or liability for these third party websites. Please undertake the appropriate due diligence before submitting any personal data to these websites.

## 10. ACCESS TO INFORMATION

The Act gives You the right to access information held about You by the School. Your right of access can be exercised in accordance with the Act. Any access request may be subject to a fee determined by the School to meet the costs in providing You with the information held about You. You should contact the School directly in connection with any such access request.

You have a right to have Your information rectified or erased free of charge if it is inaccurate or no longer required by Us or the School for the purpose for which it was collected. You can do this by contacting the School directly.

## 11. DISCLAIMER

**WE ARE NOT LIABLE TO YOU OR THE SCHOOL IN RESPECT OF ANY CLAIMS, LOSSES, DAMAGES, EXPENSES (INCLUDING REASONABLE LEGAL FEES) ARISING OUT OF OR IN CONNECTION WITH THE USE AND/OR DISCLOSURE OR DISSEMINATION OF YOUR INFORMATION IN ACCORDANCE WITH THIS PRIVACY STATEMENT.**

## 12. RETENTION OF INFORMATION

We will retain Your information for as long as We are directed by the School or for as long as We are required under relevant laws.

If You would like Us to delete your information, please contact the School directly with Your request.

## 13. HOW TO CONTACT US

Please contact Us if You have any questions about Our Privacy Statement or information We hold about You:

- by email at: [dpm@aladdin.ie](mailto:dpm@aladdin.ie)
- or write to Us at: DPM, Aladdin, Block 1, Deansgrange Business Park, Co. Dublin, Ireland.

This privacy statement was last updated on 24th August 2018

## APPENDIX 2: SEESAW PRIVACY AND GDPR COMPLIANCE

On May 25, 2018, the [EU General Data Protection Regulation](#) (GDPR) went into effect in all EU Member States. The GDPR strengthens the rights that individuals have regarding personal data relating to them and creates consistent data protection rules across Europe.

An essential part of Seesaw's mission is providing a service that keeps students safe and we are compliant with GDPR.

### What is Seesaw doing to comply with GDPR?

The principles of privacy by design and privacy by default outlined in the GDPR have been core to the Seesaw mission, experience and product development process from the beginning. We have a number of tools and options in place today to protect the integrity of teachers, students and families' information globally.

These tools for control and transparency address many of the goals of the GDPR today and are outlined below, along with some additional updates we are making.

#### **Tools for Control**

In Seesaw today you can do the following to get information about, access, rectify or erase your personal data - all rights outlined in the GDPR.

- You can update your Seesaw account settings at any time to correct or complete your account information.
- Students can export their journals at any time from their Seesaw account.
- You can delete your Seesaw account at any time and we will permanently delete your account and all data associated with it within 60 days.

Additional tools that put you in control address the right outlined in the GDPR to object to how your data is being used:

- We provide tools to help teachers get parental consent to use Seesaw in their classrooms.
- Furthermore, we do not use personal data in any advertising and do not sell any user data.

#### **Transparency**

Seesaw is also committed to transparent policies.

- Our [Privacy Policy](#) describes what data we collect and how we use it.
- Our longstanding [Privacy Principles](#) summarize our privacy commitments to you.
- If anything substantial changes with our privacy practices, we'll let you know. The privacy policy and terms you agreed to will still apply unless you accept the new terms.
- If you have specific questions about particular data, you can contact [privacy@seesaw.me](mailto:privacy@seesaw.me).

Beyond these existing practices, we are doing the following to meet **additional needs of the GDPR**:

- We reviewed our contracts with third party vendors to make sure that they are compliant with the GDPR.
- We delivered GDPR-focused security training to Seesaw employees.
- We strengthened our procedures for data subject access requests, deletion requests, and government access requests.
- We appointed a Data Protection Officer.
- We implemented a Data Protection Impact Assessment process.

Get more details about how Seesaw helps keep student data safe today [here](#).

### **DOES THE GDPR REQUIRE STORAGE OF PERSONAL DATA IN THE EU?**

No, the GDPR does not require storage of personal data in the EU. The GDPR does have specific requirements regarding the transfer of data out of the EU, but these requirements are similar to existing EU law, which Seesaw complies with.

Seesaw utilizes the Standard Contractual Clauses (SCCs) for transfers of personal data out of the Europe Economic Area, Switzerland and the UK, which are a data transfer mechanism favored by the Court of Justice of the European Union. Click [here](#) to request SCCs for your school.

Seesaw also offers an optional service for Seesaw for Schools customers to have data stored outside the United States in Australia, Europe, United Kingdom, or Canada. Find more information about Seesaw for Schools [here](#).

### **What are the school responsibilities?**

Under GDPR you need to get parental consent to process personal data for children under the age of 16. Since we don't always have a direct relationship with families, we ask that teachers and schools do this either as part of a school wide consent that includes Seesaw, or through this sample consent form.



## APPENDIX 3: ZOOM PRIVACY AND GDPR COMPLIANCE

Updated: April 13, 2020

**The protection of private information is fundamental to the trust Zoom users have given us when choosing our service. In order to be compliant with GDPR we have implemented the following updates to our platform and practices.**

### Platform

Zoom's products now feature an explicit consent mechanism for EU users. Existing or new users coming from IP address detected from EU when signing into the Zoom desktop or mobile application, or joining a meeting without being signed in, across any platform (Mac, Windows, Linux, iOS, Android, Web, ChromeOS) will be presented with a one-time privacy policy update. Consent to the updated [Privacy Policy and Terms of Service](#) are stored for compliance purposes. Audio notifications can be enabled for users who are joining a meeting that is being recorded, via the telephone. Visual recording indicators are also present.

### Website

*Cookies:*

For EU member state customers, we have implemented "zero-load" cookies, which means that cookies will not be put onto a users browser until after preferences have been set. Users that are detected via IP address as coming from a EU member state, upon their first visit to the zoom.us website, will be presented with a cookie-pop up box that allows cookie preferences to be set. These cookie preferences can also be changed at any time in the future by visiting the cookie preferences link at the footer of any page on our website (only visible to visitors with EU IP addresses).

*Links to Privacy Policy:*

For easy accessibility we have updated our website to include links to our [Privacy Policy](#) at places where personal data is collected.

*Opt-in to Communications:*

EU users can opt-in to communications from Zoom when registering for Zoom-hosted webinars or downloading whitepapers from our website. Users in other jurisdictions can contact [privacy@zoom.us](mailto:privacy@zoom.us) to be unsubscribed from marketing emails.

### Data Protection Officer

We have appointed Lynn Haaland as a Data Protection Officer (DPO) together with Deborah Fay as our EEA Data Protection Officer, both of whom are experts in matters of privacy and GDPR compliance. They can be reached at [privacy@zoom.us](mailto:privacy@zoom.us).

### Policies

Zoom has entered into Data Protection Agreements with our vendors (subprocessors) to ensure that the privacy and security of our customer data is protected. To view our data processing agreement, please visit Zoom's [Legal and Privacy](#) webpage.

We have also updated our [Privacy Policy](#) to be more transparent and have developed a cookie policy that describes the purpose of the cookies that Zoom uses.

### Employee Education and Training

In addition to the privacy training that all Zoom employees receive during on-boarding and annually thereafter, employees with roles that are customer facing (e.g. sales team) have been trained on GDPR and how it impacts their roles.

### Data Subject Rights

GDPR empowers data subjects (aka our users) with certain rights to help assure the privacy and protection of their personal data. To exercise these rights:

- **Right of access:** You can request more information about the personal data we hold about you.
  - Customer-based accounts: The administrator of your account as the controller of your data is responsible for providing you with information requested through a valid data subject access request. . Please contact your Zoom account administrator to complete your request.
  - Individual-based accounts (all [plans](#)): To view the personal data that Zoom collects about you, please visit your user account profile in the Zoom client. For meeting content, including information shared during meetings, information about participants in meetings and any recordings of meetings, the host is responsible to provide access to such data..
- **Right of rectification:** If you believe that any Personal Data we are holding about you is incorrect or incomplete:
  - Customer-based accounts: Please contact your account administrator if you believe your personal data is inaccurate and requires correction.
  - Individual-based accounts (all [plans](#)): You can directly correct (rectify) your personal data by logging into your Zoom account and modifying your personal data in your user profile settings.
- **Right to object / restrict processing:** You may have the right to object or restrict your data processing for certain purposes.
  - Customer-based accounts: Contact your account administrator who will evaluate the right to object or restrict your data processing..
  - Individual-based accounts (all [plans](#)): Users can email [unsubscribe@zoom.us](mailto:unsubscribe@zoom.us) or unsubscribe as a self-service from our marketing communications by clicking the **unsubscribe link** at the bottom of Zoom marketing emails.
- **Right to erasure:**
  - Customer-based accounts: Your account administrator is responsible for carrying out data deletion requests using the in-product tools. Further information on how to delete a user can be found at Zoom’s [Removing a user from your account](#) support site. Deleting a user permanently removes them and their data from Zoom. When deleting a user, associated meetings, webinars, and cloud recordings can be deleted with or without transfer of this data to another licensed Zoom user, depending on your account administrator’s privacy and security policies.
  - Individual-based accounts (all [plans](#)): Individual users can find instructions on how to terminate your subscription, if applicable, and delete your account at Zoom’s [How do I Delete and Terminate My Account](#) support site.
- **Right to portability:** Zoom account administrators can download or export cloud recordings and chat logs as a self-service.
- **Opt Out of “Sales” (California residents):** ***Zoom does not sell customer content to anyone or use it for any advertising purposes.*** You can opt you out of certain advertising practices on our Marketing webpages related to your data by clicking on the “Do Not ‘Sell’ My Personal Information” link **at the bottom of [Zoom.us](#)**.
- **Withdrawal of Consent:** If we are processing your data based on your consent (as indicated at the time of collection of such data), you may have the right to withdraw your consent at any time. Email [unsubscribe@zoom.us](mailto:unsubscribe@zoom.us) or unsubscribe from our marketing communications by clicking the **unsubscribe link** at the bottom of Zoom marketing emails.

For more information about these rights, please visit our [privacy policy](#). To exercise these rights, please email [privacy@zoom.us](mailto:privacy@zoom.us).