

## Primary Online Database (POD) – Data Protection Notice

### The purpose of this notice

The General Data Protection Regulation (the GDPR) comes into effect on the 25<sup>th</sup> May 2018. The GDPR applies across the European Union and aims to give individuals more rights, control and understanding of how their personal data is processed.

Under GDPR the Department of Education and Skills are required to keep you informed of the types of data we hold on you and your child, the purpose it is used for and your rights in relation to how it is processed.

### The personal data collected

Data is collected for all pupils enrolled in a recognised school aided by the Department. The type of data is laid out in the table below. In the case of the parent or guardian the mother's maiden name only is collected (for verification purposes).

Personal Information	Enrolment Information
PPSN	Standard (i.e. Junior Infants, First Class etc)
Name	Teacher / Class Name
Birth Certificate Name (if different from above)	Enrolment Source
Date of Birth	Enrolment Date
Gender	Leaving Date
Mother's Birth Surname	Leaving Destination
Address (Including Eircode)	Pupil Type
County of Residence	Class Type**
Nationality	Integrated Indicator**
Mother Tongue*	Category of Capitation***
Irish Exemption (if any)*	Second Level Programme***
Religion – CONSET REQUIRED	
Ethnic or cultural background – CONSENT REQUIRED	

### **Consent for certain types of data**

Certain data are considered sensitive personal information and in order to collect and process this information the explicit written consent of the pupil's parent or guardian is required. For the purposes of POD this data is Religion and Ethnic or Cultural Background. Where consent has been granted you are free to withdraw that consent at any time and you can do this by contacting the POD Helpline on (01) 8892311 or [pod@education.gov.ie](mailto:pod@education.gov.ie)

### **The source of the data**

All of the data on POD is provided by the school the pupil attends. Where a pupil moves school both the original school and the new school update the POD with the relevant enrolment information.

### **Purposes for which data is collected and processed**

The Department of Education and Skills, which provides for the education and training of people resident in the State, requires certain personal data on all learners in order to fulfil its function. Specifically, the data on POPD is used for:

- Completion of the National School Annual Census – As of September 2016 POD is the mechanism for schools to complete the Annual Census
- Teacher allocation and payment of capitation and other grants – Information submitted through the Annual Census forms the basis for teacher allocation, capitation and grant payments for each school
- Resource allocation and planning purposes
- Statistical Information- POD is the source of statistical information for the primary school sector
- Register of pupils – POD has removed the need for schools to maintain a hardcopy of their school's Clárleabhar, as all necessary information is recorded on the system
- Centralised updating of school information – POD provides a single point for schools to view and correct the details held by the Department

### **Data sharing**

Data is shared with the Client Identity Services (of the DEASP) for verification and validation purposes, and with the Central Statistics Office under Section 31 of the Statistical Act for statistical reporting and analysis.

## **Legal basis**

The legal basis set out for collection of the personal information on POD is:

Sections 2 and 7 of the Education Act, 1998 allows for the provision for education and support services by the Department to recognised schools as the Minister considers appropriate and in accordance with the Act.

### **Additional legislation**

1) Social Welfare Consolidation Act Section 266. S.I. No. 317/2015 - Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 4) (Sharing of Information) Regulations 2015.

<http://www.irishstatutebook.ie/eli/2015/si/317/made/en/pdf>;

2) Section 28 of the Education Welfare Act, 2000.

<http://www.irishstatutebook.ie/2000/en/act/pub/0022/sec0028.html#sec28>;

3) Social Welfare Consolidation Act (2005) Section 262

<http://www.irishstatutebook.ie/eli/2005/act/26/schedule/5/enacted/en/html>

## **Data controller**

The Department of Education and Skills controls and is responsible for the data provided on POD.

The department has appointed a Data Protection Officer to deal with queries in relation to how this data is processed; they may be contacted by sending an e-mail to [dpo@education.gov.ie](mailto:dpo@education.gov.ie) or by post to Department of Education and Skills, Data Protection Unit, Athlone, Co. Westmeath.

## **Further Processing**

Where the Department plans to conduct data processing other than that outlined above you will be contacted in advance and provided with information that will explain that additional data processing, the purposes for which it is being undertaken, and further information on your data protection rights.

### **Storage period**

Pupil data will be retained for administration, identification and analysis purposes on POD until the pupil's 19th birthday. After this point the sensitive data will be anonymised in line with national and international best practices (and in keeping with the National Archives Act 1986) and used only for statistical and longitudinal analysis.

### **Third Country**

No data collected on POD will ever be transferred to a third country other than in the form of statistical tables.

### **Data subjects rights**

Please follow the <https://www.education.ie/en/The-Department/Data-Protection/Information.html> for information on your right to access your child's data.

You may also exercise your right to correct the data, seek to restrict how it may be processed or object to how it may be processed. Data on POD will not be used for automated decision-making or profiling, see <http://gdprandyou.ie/wp-content/uploads/2018/03/Rights-of-Individuals-under-the-General-Data-Protection-Regulation.pdf>

While you have a right to request the data on POD is deleted the Department may not be able to agree to your request if the pupil is less than 19 years old.

You have the right to lodge a complaint with the Data Protection Commissioner, please see [www.dataprotection.ie](http://www.dataprotection.ie)

### **Further Information**

Further information on GDPR and how it is being implemented within the Department of Education and Skills is available at <https://www.education.ie/en/The-Department/Data-Protection/>

A *Fair Processing Notice* which provides further information on the legal and technical basis for processing personal data plus details on the data items collected and processed may be found [here](#)

### **Contact Details**

The Department of Education and Skills is the data controller for the processing of POD data. If you have any query in respect of this you may email [pod@education.gov.ie](mailto:pod@education.gov.ie)

The Department's Data Protection Officer may be contacted by sending an e-mail to [dpo@education.gov.ie](mailto:dpo@education.gov.ie) or by post to Department of Education and Skills, Data Protection Unit, Athlone, Co. Westmeath.

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