

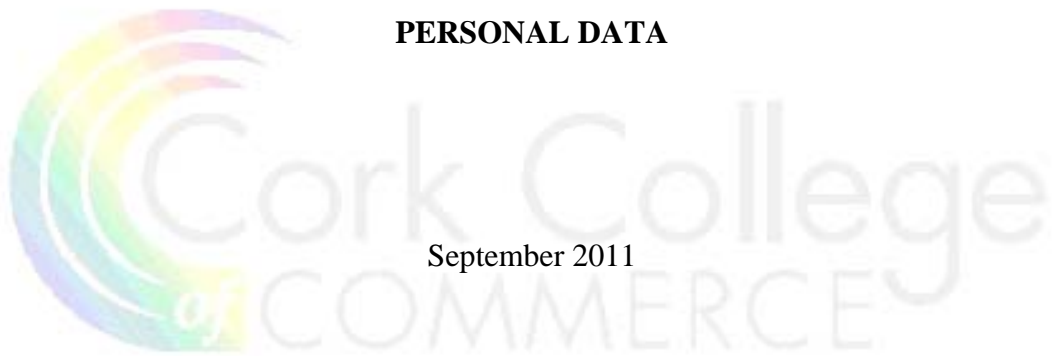
**CORK COLLEGE OF COMMERCE**

**POLICY IN RELATION TO PROTECTION**

**OF**

**DAY STUDENT**

**PERSONAL DATA**



# **CODE OF DATA PROTECTION PRACTICE FOR COMPLIANCE WITH GUIDELINES OF DATA PROTECTION COMMISSIONER**

## **1. Definition of Student Personal Data**

Personally identifying information or sensitive data (including but not limited to names, addresses, telephone numbers and other personal details). This includes any expression of opinion about the individual. It includes images and CCTV footage.

## **2. Age of Consent**

The minimum age at which a person can give consent to having their personal data processed is not specified in the Data Protection Acts. However, in the education area, the rights of parents are given strong protection in the Constitution and in legislation. Therefore, the College in the case of students under 18 years of age at enrolment, obtains the consent of a student's parents or guardians to the processing of personal data concerning her or him, even though the processing is required by law or is self-evidently necessary (for example, the keeping of attendance and other routine student records).

## **3. National Education Welfare Board**

Unlike many schools we do not have to make an attendance return to the National Education & Welfare Board as all our students exceed at enrolment the minimum school leaving age of 16 years.

## **4. Communication of Data Protection Policy to Data Subjects/Data Processors**

1. The Outline Data Protection Policy below is published in the Day Student Diary every year.
2. The Outline Data Protection Policy below (relating to staff that are both data subjects and data processors) is printed in the Staff Handbook.
5. Application forms for day student places carry the statement '*The Cork College of Commerce has a code of practice in relation to personal data which is available on request*'. Since the collection of personal data is self-evidently necessary to process applications, the details of the data protection code of practice are not emphasised further at the application stage.
6. The statement '*The Cork College of Commerce has a code of practice in relation to personal data which is available on request*' is clearly visible on the College website and Staff Intranet with a copy of the full policy document accessible to visitors to both web places.
7. When the Facility Viewer is accessed by staff the front page carries a reminder statement as follows: '*Under the terms of the College of Commerce Data Protection Policy users are responsible for keeping student personal data safe and secure and processing it only in ways compatible with the purposes for which it was given to the College*'.

## **5. Disclosures**

The following is a list of discloses. It is a legal obligation of the College to share information with some government bodies. Other disclosures are necessary as part of administration.

Teaching and Clerical Staff of the College  
City of Cork VEC

Department of Education and Science  
State Examinations Commission  
FETAC  
Other affiliated Examining Bodies and Professional Institutes  
Garda Síochána  
Department of Social & Family Affairs  
Other government agencies, e.g. Office of the Controller & Auditor General  
Vision ID  
MIT Data Management Systems  
Study Focus Ltd, Galway

Contact details of students are not disclosed to third parties to be used in any form of direct marketing and may not be used internally for direct marketing.

Please note disclosees do **not** include parents of students who are over 18 and employees or potential employees unless the student grants permission.

College policy is to withhold information if there is any doubt about the appropriateness of disclosure.

Disclosees have been provided with a copy of this document.

## **6. Data acquired from applicants and entered into the Day Student Computerised Records and filed as hard copy**

### **Application Form Details**

The following data items are requested for entry into the Facility database to create statistical returns to the Department of Education and Science (DES) and/or to process payment of student services fees, DES examination fees, FETAC fees, non EU tuition fees, etc:

1. Surname, Forename, Permanent address, Home Telephone Number, Mobile Telephone Number, Date of Birth, PPS number, Mother's Maiden Name, Country of Birth, Nationality, Indication of whether the applicant is a citizen of a European Member Country, Student or Family Medical Card Number, Details of Fees and Other Payments, Names of Previous Post Primary School(s) Attended, Roll Number(s) of Previous Post Primary School(s) Attended, Name of Last Examination Taken, Year Leaving Certificate Taken or to be Taken, Number of Years in Second Level Education, Exempt Irish details.
2. Indication of three courses (in order of preference) an applicant wishes to be considered for, previous education details including Leaving Certificate Results, details of PLC or other courses attended and results obtained, relevant work experience details and a brief personal statement are requested in order to assess suitability for entry to the courses in the College.
3. Details of applicant medical history and or special needs or learning disability which may require extra support or which the College should be aware (for timetabling or other reasons) are requested on the College application form.

4. Details of Next of Kin (name, contact telephone number) are required in case of an emergency (illness or accident).

5. Students are also requested to submit with their application form paper copies of student passport photo, Leaving Certificate and other examination results and as required birth certificates, passport, copy GNIB card (non EU applicants only), etc.

### **Attendance Record**

The following information is compiled by class teachers and held on the Facility database for monitoring academic progress, payment of grants, VTOS allowances, to determine whether students meet Institute exam entry conditions, etc.

Attendance, medically certified absences

### **Payment Details**

Details of payments made by students for student services, examination fees, equipment, method of payment, date of payment are kept.

### **Work Experience**

For students who organise their own work experience or for those who are assigned a work placement by the College, the following details are acquired:

Details of work experience placements, dates of placement, name and address of company, name and details of person to contact for work experience report, details of type of work carried out by the student on placement, record of attendance, supervisor's report.

A work experience monitoring report is completed by a subject teacher and given to the Course Coordinator for filing with the students file.

The Employer's Report on work experience must be kept for submission for FETAC accreditation.

### **Academic Progress**

Details of marks obtained in class tests, comments made on reports are kept in paper format.

### **Garda Vetting**

Students of certain courses must provide the following information for Garda vetting purposes:

Surname, Previous Surname (if any), Forename, Alias, PPS Number, Date of Birth, Place/City of Origin, Every Previous Address (from birth to date), Details of Previous Convictions, Name of Course attended, Name of College attended.

## **7. Fair obtaining of Data**

At the time the College of Commerce collects information about individuals their attention is drawn to the fact that the College has a code of practice in relation to personal data: *'The Cork College of Commerce has a code of practice in relation to personal data which is available on request'*.

This statement is also clearly visible on the College website and Staff Intranet with a copy of this full policy document accessible to visitors to both web places.

Disclosures of student personal data to third parties are made in accordance with legislation and in connection with administration. Disclosees are listed at 5 above. They are made aware of College policy in respect of student personal data and required to not disclose or misuse the information provided to other parties.

An outline of the College of Commerce code of practice in relation to student data protection is printed in the student diary.

There are no secondary uses of student personal data.

We describe our data-collection practices as open, transparent and up-front.

## **8. Purpose Specification of Data Collected**

The College has clear, lawful purposes for which it keeps personal information, namely, for administration and record keeping.

Individuals on our database are informed in the outline data protection policy printed in the student diary that the College seeks and keeps their personal data for explicit, lawful purposes and will use and disclose the data in ways compatible with these purposes. This full code of practice is available in written format on request and is available on the College website and queries will be dealt with as quickly as possible.

Schools, colleges, etc are not required to register with the Data Protection Commissioner.

Fiona Desmond, Student Database Coordinator is responsible for maintaining the student data sets and for overseeing the purposes for which the data is used.

## **9. Use and Disclosure of Information**

This document constitutes a set of defined rules for teaching staff and other staff about the use and disclosure of information about students' personal data.

The College of Commerce Code of Practice on Student Data Protection is included in the Cork College of Commerce Staff Handbook and on the Staff Intranet. The Staff Handbook also includes the Teachers Council Draft Codes of Professional Conduct for Teachers that stipulates 'Teachers should respect confidential information relating to colleagues, students and families gained in the course of professional practice, unless the wellbeing on an individual or legal imperative requires disclosure'.

All members of the teaching staff have been issued with a copy of the Staff Handbook and therefore are aware of these rules.

All members of the clerical staff have been made aware of the College of Commerce Policy Document on Student Data Protection.

Disclosures of student personal data to third parties are made in accordance with legislation and in connection with administration. Disclosees are listed at 6 above. Disclosees are made aware of College policy in respect of student personal data and required not to disclose or misuse the information provided.

Students are made aware in the outline code of practice in the student diary that there are disclosures of their personal data. They may consult the list of disclosees in the full policy document and may query what information is disclosed to each one.

## **10. Security of Data**

There is a security protocol in place for student data. Every user must assume responsibility for protecting student data they are given, that they request, store or dispose of.

Fiona Desmond as student database coordinator is responsible for developing and reviewing provisions for security of student personal data.

The front page of the Facility Viewer which may be used by all teaching staff to look at certain items of student personal data reminds users every time they access the information: *'Under the terms of the Cork College of Commerce Data Protection Policy users are responsible for keeping student personal data safe and secure and processing it only in ways compatible with the purposes for which it was given to the College'*.

Computers with personal student data are password-protected but not encrypted

Computers and servers are locked away. Most student paper files are held in locked or code protected offices. *Filing cabinets containing these files should be locked.* CCTV fitted in the College to discourage unauthorised access to these rooms. Not all files and printed versions of student personal data can always be locked away when staff are consulting them and using them in various ways and such materials are at a greater risk because of their portable nature and lack of office space for all staff. Because of the nature of the work carried out in the College and the necessity for a large number of people to have access to some student personal data (for record keeping, examination entry, etc) it is recognised that paper versions of student data constitute the greatest security risk.

A confidential shredding facility is available in the Main Office. The other recycling bins in the school are **not** suitable for disposal of confidential material.

### **11. Adequacy, Relevance and Necessity of Data Sought**

It is the policy of the College to collect only the information it needs to serve its purpose effectively and to deal with individuals in a fair and comprehensive manner. Annually, a review takes place to check that all the information we collect is relevant and not excessive for our specified purpose(s).

The College consults with Post Primary Administration Section of the Department of Education & Science to confirm that the personal data sought on College application forms is not excessive. The College has a specific purpose for collecting all the other information and can justify every piece of information we hold about students.

### **12. Accuracy and Time-Sensitivity of Data**

We check our data for accuracy and update it regularly. Spellings of names and dates of birth are checked and corrected at the time issue of ID cards. The contact details of students are checked by class teachers after Christmas every year and the students are asked to keep the College informed of changes of address and telephone numbers. Student left dates and attendance details are added on a weekly basis to the student records.

Some of our personal data is time-sensitive, i.e. is likely to become inaccurate over time. The College takes measures to keep contact details of current students up to date but does not have the resources to do so for students who have left the College.

### **13. Retention Times for Personal Data**

In the pursuit of the College's role in record keeping and compilation of student statistics computerised items of information about students need to be retained indefinitely. The College regularly received queries from past students who studied here more than twenty years ago.

Paper files of students are kept on the premises for five years. Thereafter they go into long-term off site secure warehouse storage. After ten years in long-term storage the paper files are destroyed.

### **14. The Right of Access of Students to Copy of Personal Data**

Fiona Desmond is the individual responsible for handling access requests by students to a copy of the personal data kept the College about them in compliance with the Data Protection Act's requirements.

A written request must be made by the student (or the parent of a student who is under 18) outlining what information is required and giving a reason for the request.

The College undertakes to respond as quickly as possible to such requests. A immediate acknowledgement to such requests will be made by Fiona Desmond indicating when the information can be made available.

### **15. Training & Education of Staff**

Data protection is included as part of the training programme for our staff.

In service training of existing staff is regularly undertaken to increase and maintain levels of awareness about data protection in this organisation. Staff is made aware in

these training sessions of their data protection responsibilities including the need for confidentiality.

## **16. Co-ordination of Student Data and Legal Compliance**

Fiona Desmond is the current student data protection co-ordinator and compliance person.

Colleagues are made aware of her role during staff training.

The co-ordinator of student data protection activities within the College undertakes an annual formal review of the College's data protection mechanisms and compliance with the Data Protection legislation and makes a report to Management which includes proposals for improvement where appropriate.

## **17. Outline Data Protection Policy**

The following is a brief outline of the College's responsibilities towards data subjects and the data subjects rights in respect of the information sought and stored by the College about them.

### College Responsibilities

- Obtain and process information fairly for the purposes of administration
- Keep it only for one or more specified and lawful purposes
- Process it only in ways compatible with the purposes for which it was given to the College initially
- Keep it safe and secure
- Keep it accurate and up-to-date
- Ensure that it is adequate, relevant and not excessive
- Retain it no longer than is necessary for the specified purpose or purposes
- Give a copy of his/her personal data to any individual, on request
- Disclose student personal data only to bodies listed in the College Data Protection Code of Practice and for an explicit, lawful purpose

## Data Subject's Rights in Respect of their Personal Data

- To be treated fairly in the way information is obtained, stored, used and shared by the College
- To know the identity of the data controller and the purpose for obtaining their personal information
- To request that inaccurate information is corrected
- To request that information is deleted when the College has no valid reason to hold it
- To see and obtain a copy of any information the College holds on file about them
- To have a human input in the making of important decisions relating to them
- To reject direct marketing phone calls, emails or text messages from the College that they don't want
- To complain to the Data Protection Commissioner if they feel that their rights have been infringed

