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Primary Online Database

To: The Boards of Management and Principal Teachers of Primary Schools

Introduction

There have been numerous calls over the last number of years for an individualised primary pupils' database to be put in place, coming from sources as varied as schools, the National Parents Council, school management bodies and unions, the Comptroller and Auditor General, the National Economic and Social Forum, the Central Statistics Office, and groups and charities working for children.

The Primary Online Database will serve as a vital administrative and management tool in efficiently meeting the Department's obligations under Sections 6 and 7 of the Education Act 1998. Individualised data on pupils at primary level is of fundamental importance to fulfil our need for relevant and timely information to ensure the educational welfare of primary school children, to monitor adequately and cater for the needs of vulnerable subgroups, and ensure that all children are making the transition from the primary to post-primary system.

Using PPS numbers as unique identifiers, the database will assist the Department in compiling vital information about the progression of primary pupils through the education system, and the impact of educational interventions. It will be used to provide indicators on what is working and what is not in our educational system, as well as relevant, up-to-date information for future planning and resource allocation. Similar databases are in place already at other levels of education. In time, the Department is very confident that the database will not only reduce administrative burden and form filling for both schools and parents, but will play a vital role in underpinning the provision of education for all primary school pupils.

The Primary Online Database is being rolled out across the primary school system. This circular seeks to address the main issues and concerns arising during the data population period, and provide clarity and guidance to schools to ensure that all pupils are entered on POD for grant payments and teacher allocation purposes.

Content

1. *Processing of Data and Data Protection.*

   A revised version of the POD Fair Processing Notice, which outlines the legal basis for POD and the POD retention policy is available on our website at www.education.ie. The Fair Processing Notice outlines the legal basis under which schools can ask parents/guardians for their child's PPSN. Schools should note that the POD retention policy has been revised and identifiable information will now be retained until the pupil's 19th birthday. Schools are advised that they will no longer have access to identifiable records on POD from that point on and they should be mindful of this when formulating their own record keeping and data protection policies.

As advised previously, once operational POD will replace the current mandatory requirement for schools to keep the Clárleabhar in hard copy. If a school wishes to also continue keeping the Clárleabhar in hard copy it may do so but this will not be a mandatory requirement. This change in existing arrangements will be reflected in a separate circular that will be issued shortly from the School Governance Section of the Department.

Some schools may need to keep POD data for longer than the retention period outlined by the Department for POD. The Department, in consultation with school management bodies, will put a process in place to facilitate schools to take a local extract of POD data before individually identifiable information is removed. Schools should securely store and retain any such extracts from POD in accordance with their obligations as data controllers.

In relation to the paper forms used to populate POD, the Department requires that a record of written consent for the two sensitive personal variables (religion and ethnic/cultural background) should be retained for inspection in the school for the duration of each pupil's enrolment. If schools do not require these records for their own purposes after that period, they can be securely disposed of once the pupil has left the school. Other than the record of consent, the Department does not require schools to keep records of data collected from parents for POD, and so schools should dispose of these paper forms unless they are required by the school for their own administrative purposes (e.g. if the information was collected as part of the school's own enrolment form).

The dataprotectionschools.ie website offers sector specific guidance to assist schools in the area of data protection legislation and provides examples, model polices, codes of practice and useful links to other resources.

2. *Sharing of data with other bodies*

The Fair Processing Notice outlines the bodies with whom the Department proposes to share data with, and the conditions under which data will be shared. Legislative provision exists for all proposed data-sharing arrangements for POD. Note that the term "sharing of data" does not mean that bodies with whom the data is shared will have direct access to POD.

3. *Access to POD* **within schools**

Schools have devolved responsibility for providing staff with access to POD within their schools using the esinet "Local Administrator" role, which can be used to assign POD-only access roles to staff. Schools should ensure that only staff who require access to POD in order to enter and maintain data should be granted access, and ensure that access is granted only for the period required.

For the information of schools and parents/guardians, the Fair Processing Notice for POD outlines how data will be stored and accessed within the Department of Education and Skills.

4. *Requirements for schools to ensure all pupils are counted on POD for grant payment and teacher allocation purposes.*

From 2016/2017, the enrolment counts on POD will become the basis for grant payments and teacher allocations. Therefore it is imperative that a record exists on POD for each pupil enrolled in the school. The following arrangements will apply in relation to the population of POD for the academic year 2015/2016 onwards:

1) In relation to all new enrolments into primary schools from 2015/2016 onwards, schools must ensure that parents/guardians are fully informed of the requirement on schools to transfer data onwards to POD and parents/guardians should be made fully aware that they are giving their child's details for this purpose, in addition to providing it for the purpose of

local school administration. Schools and parents/guardians should be aware that provision of all required pupil data to POD for all new enrolments from 2015/2016 onwards is mandatory in order to have that pupil counted for grant payment and teacher allocation purposes. Schools should be cognisant of this when enrolling new pupils to their school in the future.

2) In relation to existing pupils already enrolled in the 2014/2015 academic year, the Department understands that a very small minority of parents/guardians have expressed concerns about data that they have already provided to the school for schools' use being transferred onwards to POD. A revised Fair Processing Notice with clearer communication and an updated retention policy has been prepared, and schools are requested to alert parents/guardians to the fact that this information is now available on the Department's website.

The Department is satisfied that there is a clear legal basis for transfer of data onwards from schools to POD, and is hopeful that the revised information will provide clarity and reassurance to any parents who may have concerns. However, in the very small minority of cases where, despite all efforts by schools and the clarifications provided by the Department, the parent of a currently enrolled pupil (i.e. enrolled in the 2014/2015 academic year) still very strongly objects to the onward provision of data to POD, the Department recognises that a practical arrangement must be made in order to ensure that schools are not adversely affected and that a record can be made for all pupils on POD. Therefore, for these cases the following arrangements will apply:

a. Parents/guardians who continue to object to the onward provision of data to POD need to put their objections in writing to the school in order for their wishes to be carried out. Note that verbal objections will **not** be sufficient in this regard, as schools will be required by the Department to maintain written records of objections, and parents who do not put their objections in writing should be informed by the school that their record will be otherwise transferred to POD within a four week timeframe. Parents/guardians who object should be given every opportunity to provide their objections in writing to the school.

b. Schools that are in receipt of a letter from a parent outlining their objections to the onward provision of data to POD can create a partial record for that pupil on POD, using the guidelines available on request from the POD Helpdesk. This will ensure that a record is created for the pupil which will be counted for grant payments and teacher allocation purposes.

c. Partial records will only be accepted for pupils who are already enrolled in schools in the 2014/2015 academic year. All new entrants from 2015/2016 onwards should be made aware previous to the point of enrolment that their data will be transferred to POD. Schools should be aware that any pupil who is accepted for enrolment and whose information is not transferred subsequently to POD will not attract grant payments or be counted for capitation purposes.

d. Schools will be required, from the 2016/2017 academic year, to have a record for all enrolled pupils on POD. In the case of those pupils for whom a partial record has been created for an enrolled pupil (see (b) above), a corresponding letter from that pupil's parent objecting to the transfer of certain data must be available on file in the school. These records must be available for future inspection on request by the Department's Inspectorate.

5. *Quality of data*

Schools should do their utmost to ensure the integrity of the information they provide to POD. If there is a concern in relation to the accuracy of the information furnished, schools may wish to confirm this information with the parent/guardian. However, having confirmed the information with the parent/guardian, the school must enter the information as provided.

There have been a number of queries in relation to the question on nationality. Nationality is a matter to be defined by parents/guardians and not by the schools.

In relation to the question on Ethnic and Cultural Background - the information should be supplied as defined by the parent/guardian. Schools will only be paid enhanced capitation for pupils who are Members of the Traveller Community if the parents/guardians of that child have given written consent to disclosure that the Ethnic or Cultural Background of that child is Irish Traveller.

Currently, schools should be obtaining written parental/guardian consent for the identification of pupils who are members of the Traveller Community for the National School Annual Census returns. It should be noted that Irish Traveller Representative Organisations are fully supportive of the inclusion of this question.

In order to ensure the quality of the data obtained from parents/guardians, schools should ensure that every effort is made to assist parents/guardians in filling in any data-gathering form where a language difficulty exists.

6. *Irish-language Version of POD*

An Irish-language version of POD will be available by the end of the second quarter of 2015. Schools should note that all POD documentation is currently available in both English and Irish.

7. *Repeating a year*

When enrolling new entrants POD will show if these pupils were previously in the same standard in your school or in another school. Schools are reminded of the requirements of Department Circular 32/03 on the Retention of Pupils in the same Grade in Primary Schools.

8. *Notes area in POD*

Schools are reminded that the notes area in the pupil section of POD is only visible to schools and that the Department cannot access this information. Schools may wish to consider using this area in a standardised manner for administration tasks for schools purposes only. This information will not travel with the pupil upon transfer to another school. The School/DES Comments area in the schools section of POD is visible to both the school and to the Department of Education and Skills and should not be used to store personal information, nor should it be used to send queries to the Department.

Signed:

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Contacts

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