



Scoil Tíghearnach Naofa Cullohill N.S.

Consent

Where consent is the basis for provision of personal data (e.g. data required to join sports team/ after-school activity/or optional school activity) the consent must be a freely-given, specific, informed and unambiguous indication of the data subject's wishes. A clear, affirmative action e.g. ticking of a box/signing a document, is required to indicate consent. Consent can be withdrawn by data subjects in these situations.

To ensure that the practices in Scoil Tíghearnach Naofa are open and transparent and to obtain data fairly the data subject must, at the time the personal data is being collected, be made aware of:

- a. the name of the data controller (i.e. School BoM)
- b. the purpose/rationale for collecting the data and any secondary uses of their personal data which might not be obvious to them
- c. the persons or categories of persons to whom the data may be disclosed e.g.
 - 1) DES
 - 2) other third parties operating in the education and welfare sphere e.g. NCSE, TÚSLA, NEPS, SESS, the HSE, TUSLA, An Garda Síochána
 - 3) other third parties with whom the School contracts, such as cloud-based school administration software companies, accountants, insurance companies, lawyers, etc.
- d. whether replies to questions asked are obligatory and the consequences of not providing replies to those questions
- e. the existence of the right to access their personal data
- f. the right to rectify their data if inaccurate or processed unfairly
- g. any other information which is relevant so that processing may be fair and to ensure that the data subject has all the information that is necessary to facilitate their awareness of how their data will be processed

Where application forms or standard documentation are used in school for enrolment or other purposes, the purposes/uses etc. should be clearly on such forms or documentation

No age limit is associated with consent. However, it is important that the data subject appreciates the nature and effect of such consent. Therefore, different ages might be set for different types of consent. Where a person is unlikely to be able to appreciate the nature or effect of consent, by reason of physical or mental incapacity or age, then a parent, grandparent, uncle, aunt, brother, sister or guardian may give consent on behalf of the data subject. These are the only circumstances in which a third party may give consent on behalf of a data subject

FAIR OBTAINING: TESTING OURSELVES

When people are giving information, we should be able to answer YES to the following questions:-

1. do they know what information we will keep about them?
2. do they know the purpose for which we keep and use it?
3. do they know the people or bodies to whom we disclose or pass it?

In general, the fair obtaining principle requires that every individual about whom information is collected for holding will be aware of what is happening