

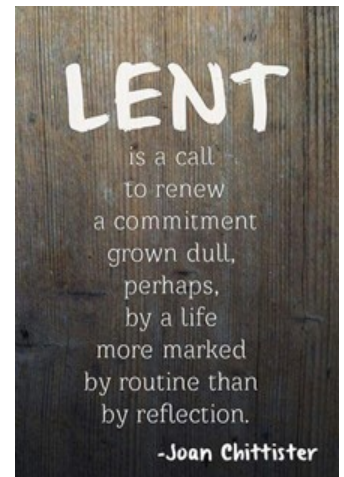
A Chara,

I hope this finds you well and that you enjoyed the recent mid-term break. Winter is finally over and spring has sprung! It is so refreshing to hear the birdsong in the mornings and to see the “*grand stretch in the evenings!*” By now, I am sure that the second term of this school year is in full swing and your schools are as busy and hectic as ever!

As with our autumn newsletter, this spring newsletter will focus primarily on Patron issues and issues which give rise to queries in our office on a daily basis. In this issue, you will find some basic advice on dealing with parental complaints, along with some information on the Reconfiguration of Patronage for Diversity Pilot Project. In addition, in response to the many queries we have received regarding the use of CCTV in schools, our colleague, Ms. Michelle O’Riordan, who is the Data Protection Officer for the seven Munster Dioceses, has prepared a very useful guide for schools in relation to CCTV, which is included in this newsletter. I would like to thank Michelle most sincerely for sharing her time and expertise with us on this topic.

One very important issue, which I would like to highlight to schools, is the need to ensure that all newly appointed principals, deputy principals and acting principals avail of child protection training which is specific to their new role as the school’s Designated Liaison Person/Deputy Designated Liaison Person. The obligations attaching to these roles are significantly more onerous than those applicable to teachers as mandated persons. Therefore, it is essential that these newly appointed members of staff undertake the necessary additional training.

A reminder that, by now, all schools should have amended their Admissions Policies in line with the recent legislative changes. Your revised policy must be sent in to Linda here in the office for Patron approval. The approved policy should then be published on your school’s website. A number of schools have very outdated Admissions/ Enrolment policies published on their website, so now may be an opportune time to check, ensuring that your most recent policy is the one which appears on the website.



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As we embark on this holy season of Lent, a time for prayer and reflection, I wish every blessing on all in your school community as you journey together to the joy of the Easter season. As always, on behalf of the four Patrons, Archbishop Kieran, Bishops Ray, Brendan, and Fintan, I thank you once again for all that you do to make our Catholic schools the wonderful places of discovery, learning, nurturing, and growth that they are for our children.

With Warm Regards,

A handwritten signature in blue ink that reads "Aislinn Foley".

Payroll and OLCS Queries

We have received a number of queries seeking advice on payroll issues and how to enter or modify leave on the OLCS. Some schools have reported having difficulty getting in touch with the Department of Education to seek advice. Unfortunately, our office cannot resolve these issues for schools.

Payroll queries should be directed to the Department of Education Payroll Division through the e-contact form at the following link: <https://dessurveys.education.gov.ie/surveys/payroll-contact-form>. Queries relating to the OLCS should be directed by email to onlineclaims@education.gov.ie

Reconfiguration of School Patronage for Diversity

One of the aims of the current Programme for Government is the transfer of 400 primary schools, which are currently under Catholic patronage, to an alternative Patron by 2030. This is in response to calls for greater choice for parents who do not wish to have their children educated in a Catholic primary school and the increasing secularisation of our society.

A pilot consultation project on the issue of reconfiguration of school patronage has been underway in a number of areas countrywide over the past number of months. The purpose of this pilot project, as agreed between the Department of Education and the Education Council of the Bishops' Conference, is to ascertain whether there may be a demand for greater choice of educational provision amongst parents in certain areas. The particular areas selected for participation in the pilot project were identified by the Department of Education as those, which have a number of Catholic primary schools, but no primary school of alternative patronage.

An independent facilitator, working on behalf of the Department of Education, manages the pilot project in each area, along with a representative of the relevant Patron. Initially, the facilitator and Patron representative meet with the clergy of the relevant parishes. Separate information meetings are then arranged with the Chairperson and Principal, staff, and parents of each school. Attendees at each meeting are encouraged to express their views, either in person, or later, to a designated email address.

Based on the feedback received, the facilitator prepares a report and makes a recommendation to both the relevant Patron and the Department of Education as to whether or not the particular school community appears to be amenable to considering a change of Patron. It is anticipated that the consultation process will be complete by June 2023 and the learnings from this pilot project will inform any wider engagement on the issue at a national level.

Lent

Lent (deriving from the old English word “Lencten” meaning spring) is a time of new beginnings – symbols all around us: flowers growing, new life in the fields, the extended daylight hours and often a sense of reinvigorated optimism. It also presents a real opportunity for our schools.



With school life busier than ever, it is very easy for us to focus on the job at hand or the plethora of administrative work that lies ahead. However, with Lent upon us, now is our opportunity to reset, now is our opportunity to reflect upon our schools and reflect on the Catholic ethos that should permeate the very fabric of our buildings and essence of our conduct.

With the well-publicised pilot scheme of consultation on reconfiguration of patronage underway, have we thought about the importance of our own Catholic identity? Does our ethos guide the practice in our school and parish community? Indeed what is our ethos – is it something that we can articulate?

We ask you this Lent to refocus, to reflect, and to start by examining your own school mission. Perhaps the Board of Management and staff might take time to reflect on your school Mission Statement – share it at a staff and BOM meeting and pose the following questions:

Does our Mission Statement represent the unique nature and culture of our school - or does it feel more generic? Does our Mission Statement represent the Catholic ethos, which should permeate every sinew of our school? Does it even refer to our Catholic identity?

How significant is our mission statement to the everyday lives of our children, the decisions taken to plan and deliver the curriculum, the approach the school takes with its relationships to all stakeholders? How do the parents and local community see our school – do they see our mission shining through our school as a leading light of the parish?

Some food for thought and an opportunity for reflection, with a view to harnessing the Catholic vision of our schools.

Use of School Premises by Third Party Operators

A reminder that existing licence agreements between schools and third party operators must be renewed annually and approved by the Patron. We aim to have all standard renewals for the 2023/24 school year approved before the summer holidays. Therefore, **the deadline for submission of these licences for approval is 31st May 2023.**



If the school is coming to the end of the second year of a licence agreement, the outside operator will need to sign a Deed of Renunciation as part of the renewal process. Please contact Gwen to discuss this process where applicable.

Schools must also ensure that fees charged for the use of the premises are reasonable. As schools are registered charities, there is an expectation from the Charities Regulator that fees will be charged at the full commercial rate. Whilst a full commercial rate may be prohibitive, fees charged must be sufficient to ensure that Oireachtas funds, in the form of Department of Education grants to schools, are not used to supplement what is essentially a private, profit-making business. Neither should funds raised by the school community for specific projects be utilised for this purpose, even where the school finances are very healthy.

Annual fees for use of the school premises are a matter for agreement between the Board of Management and the outside operator. As the value of property differs greatly from area to area, please be advised that St. Senan's Education Office cannot make recommendations to schools on what might be an appropriate fee. If you have any queries in relation to the above, please contact Gwen at gwen.osullivan@limerickdiocese.org

Staffing Schedule 2023/24 and Recruitment

The staffing schedule for the 2023/24 school year (Circular 0006/2023) issued at the end of January and the Department has confirmed that panel lists will issue during the week beginning 20th March. Schools that have a vacancy because of the new staffing schedule must register this vacancy with Linda here in St. Senan's Office at linda.fleming@limerickdiocese.org Vacancies must be notified by 23rd February or within five days of becoming aware of the vacancy. The sooner schools attend to this requirement; the quicker the panels will clear. This, in turn, will allow advertisement and recruitment for fixed term vacancies for the full school year to get underway.

Parental Complaints



Almost every organisation or institution can expect to receive complaints at some point, about the service it offers. Schools are no exception. Because of the close relationship that exists between schools and parents, dealing with parental complaints can be very stressful at times.

As a starting point, a key priority for schools is to ensure that all staff members are actually adhering to their own school policies; Code of Behaviour, Anti-Bullying Policy etc.

It is absolutely essential that all stakeholders, Board of Management, staff, and parents are aware of the Parental Complaints Procedure. The procedure for primary schools is an agreed procedure between CPSMA and INTO and is currently under review. The document should be published on the school's website and brought to the attention of parents and staff, through newsletters, staff meetings etc.

In dealing with parental complaints, schools should keep accurate records of all meetings, actions taken, and interventions implemented. In this way, there is a clear timeline and a comprehensive record of all efforts made by the school to address the complaint. It is very important to be aware that under Data Protection legislation parents are entitled to copies of all school records relating to their children should they choose to make a data access request. Therefore, records should be factual and should not contain personal comments or opinions about situations or incidents.

Parents should be channelled through the various stages of the complaints procedure, from informal to formal. The situation can become quite complex where steps have been missed, or avoided. If the complaint has not been resolved at the informal stage, schools can seek advice and guidance, either from ourselves, or from CPSMA, as to how to proceed from there.

In some instances, there is the added difficulty that parents who wish to make a complaint have behaved inappropriately when engaging with school staff on the matter. Schools should have a policy in place, which sets out in clear terms, the expectation that all school stakeholders will treat each other with mutual respect in their interactions with one another.

This can take the form of a

- ◆ Parents as Partners Policy
- ◆ School Visitors Policy
- ◆ Communication Policy

These policies should be formulated at a time when the school is not in the middle of dealing with a complaint. When formulating any of the above policies, the draft document should be circulated amongst parents for feedback in advance of ratification by the BOM. Once ratified, the policy should be widely communicated and uploaded onto the school's website.

Use of CCTV by Schools

We have received quite a number of queries from schools in relation to the installation and use of CCTV on school premises and any resulting obligations on the Board of Management under relevant Data Protection legislation. In response, our colleague, Ms. Michelle O’Riordan, who is the Data Protection Officer for the seven Munster Dioceses, has prepared this very useful guide for schools in relation to CCTV. I would like to thank Michelle most sincerely for sharing her time and expertise with us on this topic.

Data Protection Guidelines: Use of CCTV by Schools

Q: Are CCTV images subject to GDPR?

A: Where it is possible to identify individuals from CCTV recordings, those images constitute personal data for the purposes of the GDPR. As CCTV is often installed for security purposes, it follows that individuals will usually be identifiable on the recordings. The Board of Management is the data controller of the personal data contained in CCTV recordings. This means that the Board and school staff must comply with all GDPR obligations regarding the CCTV and recordings.

Q: What steps should a Board take before installing CCTV?

Identify why CCTV is being installed

Schools often install CCTV for security/ crime prevention and/or health and safety reasons. These purposes are examined briefly in these Guidelines.

A decision to install CCTV for an identified purpose does not mean that a school can legitimately have CCTV cameras in operation all day every day and covering extensive parts of the school and yard. A Board of Management must show that the use of CCTV is necessary and proportionate to the identified purpose.

When is CCTV necessary?

Security: Any prior security instances in the area where CCTV is to be installed will assist in showing the necessity of having CCTV in place in that area. Other relevant factors include:- (i) the school does not have the means to hire security staff; (ii) the opening and closing hours are well known; (ii) the school is located in an isolated or badly lit area.

Health and safety: The school will need to show that health and safety issues arose in the area where the CCTV is being installed, prior to its installation, to show that it is necessary for this purpose.

Is there any viable alternative to CCTV?

When is CCTV proportionate?

The operation of CCTV should be kept to the minimum required to achieve the identified purpose while protecting the privacy rights of pupils, staff, parents/guardians and other visitors.

If the purpose is security, it is likely that CCTV is only needed when the school is closed

It may be sufficient to record particular areas of the school grounds e.g. entrances and exits to the grounds/ building

In the absence of other reasons, it will not be proportionate to record children playing in the yard or staff on yard duty. Any such recording should be incidental only e.g. while they are going in or out of the school building.

The school should avoid placing cameras in areas where privacy is expected. It will almost never be proportionate or necessary to have recordings inside a school premises. Extreme and exceptional purposes would need to apply before internal CCTV was justified.

Control what the CCTV records: The camera should be angled so that only the minimum area is captured. Particular care should be taken where the CCTV camera is on the school gate to ensure that the school is not recording members of the public on the road or footpath adjacent or that this is kept to an absolute minimum where it cannot be avoided by all other means (see requirement for Data Protection Impact Assessment).

Keep the number of cameras to the minimum needed to achieve your purpose.

Q: What signage and notification is necessary?

A: Place CCTV signage at all school entrances and other prominent areas. Notices should include the name of the school and the fact that CCTV is in operation. This information should also be on the school's website.

If CCTV installation is under consideration, a consultation process should be undertaken with parents/guardians, pupils and staff before installation.

A CCTV Policy should be ratified by the Board and placed on the school's website and a copy retained in the school office, where it is available, on request.

New parents/guardians should be informed of the fact that CCTV is in operation and they should be advised where they can obtain a copy of the CCTV Policy.



Q: Where will CCTV recordings be stored?

A: Recordings must be stored securely.

Access to recordings should be restricted to a small number of staff (e.g. Principal). An access log should be signed every time an individual views the recordings

Recordings should be encrypted and/or password protected. Generic passwords should not be used. Any remote access needs to be considered carefully



Q: How long will recordings be stored?

A: 30 days

Q: What if a third party (not pupil/staff) asks for a copy of the CCTV recording?

A: If the request is from An Garda Síochána, it should be in writing and should state that the recordings are required for the investigation of a criminal matter. If the request is urgent, the school can provide the information based on an oral request with the written one to follow.

A request by any other third party (including TUSLA) needs to be responded to on a case-by-case basis. The Board will need to assess whether a legal basis applies to provide the data to the requester. Specific advice will be needed.

Q: Are there any other considerations

A: Data Protection Impact Assessment

The school will need to carry out a data protection impact assessment where the CCTV operation constitutes “*systematic monitoring of a publicly accessible area on a large scale*”. This could be where there is more than incidental recording of a public road or footpath or where there is widespread recording of the school yard. Please obtain specific advice if this applies to your school.

A: Identify Legal Basis

The school must identify the legal basis for operating CCTV under GDPR. This will usually be that it is in the legitimate interest of the Board to protect school property and the safety of pupils/staff and other visitors. However, any reliance on this legal basis must be accompanied by safeguards which protect those being recorded e.g. no constant or widespread recording of school grounds as outlined above.

A: Data Processor Agreement

It is likely that the Board will engage the services of a third party provider who will install and operate the CCTV. This entity may have access to the recordings. The school must ensure that it is satisfied that this third party operates to the highest security standards and that there is a data processor agreement in place between it and the Board of Management. The Board will need to obtain advice on this.

A: Data Subject Access Request

If an individual makes a data access request to the school, the Board of Management will need to check if there are CCTV recordings of that individual, as these would come under a general data access request. The images of individuals, other than the requester, should be pixelated before the data is given to the requester.

Q: What if my school already has CCTV in operation?

A: Carry out an audit of the use of CCTV by the school. During the audit, identify the purpose of the CCTV, ensure it is necessary and proportionate to that purpose and attend to the other matters outlined in these Guidelines.

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