

| | |
|---|--|
| <p style="text-align: center;">Beartas Nósanna Imeachta Rochtana Sonraí Gaelcholáiste Phort Láirge</p> | <p style="text-align: center;">Data Access Procedures Policy of Gaelcholáiste Phort Láirge</p>  |
| <p>Réamhrá</p> <p>Foráiltear sna hAchtanna um Chosaint Sonraí, 1988 agus 2003 go bhfuil an ceart ag duine faisnéis phearsanta a fháil atá á choimeád ag Gaelcholáiste Phort Láirge. Soláthraítear an nós imeachta a leanas le comhlíonadh dhualgais na scoile faoi na hAchtanna agus rialaíonn sé an bealach ina mbainisteoidh Gaelcholáiste Phort Láirge iarratais ar rochtain ar shonraí pearsanta.</p> <p>Bheadh ar ábhar sonraí cur amach a bheith acu ar an nós imeachta agus an Fhoirm um Iarratas ar Rochtain Sonraí a chomhlánú a chabhróidh leis an scoil chun an t-iarratas ar rochtain a phróiseáil sa chás go ndéanann Gaelcholáiste Phort Láirge faisnéis phearsanta (nó i gcás tuismitheora/caomhnóra a dhéanann iarratas thar ceann dalta, faisnéis phearsanta maidir lena leanbh), mar ábhar sonraí, a phróiseáil agus a choinneáil.</p> <p>Is tábhachtach a thabhairt faoi deara nach soláthrófar ach faisnéis phearsanta a bhaineann leis an duine (nó i gcás tuismitheora/caomhnóra a dhéanann iarratas thar ceann dalta, faisnéis phearsanta maidir lena leanbh). Ní sholáthrófar aon fhaisnéis a bhaineann le duine eile.</p> | <p>Introduction</p> <p><i>The Data Protection Acts, 1988 and 2003 provide for a right of access by an individual data subject to personal information held by Gaelcholáiste Phort Láirge. The following procedure is provided to ensure compliance with the school's obligations under the Acts and governs the manner in which requests for access to personal data will be managed by Gaelcholáiste Phort Láirge.</i></p> <p><i>A data subject would be required to familiarize themselves with the procedure and to complete the Data Access Request Form which will assist the school in processing the access request where personal information (or in the case of a parent/guardian making an access request on behalf of a student, personal information in relation to their child) as a data subject is processed and retained by Gaelcholáiste Phort Láirge.</i></p> <p><i>It is important to note that only personal information relating to the individual (or in the case of a parent/guardian making an access request on behalf of a student, only personal information in relation to his/her/their child) will be supplied. No information will be supplied that relates to another individual.</i></p> |
| <p>Nóta tábhachtach do dhaltaí a dhéanann iarratais ar rochtain</p> | <p>Important note to students making access requests</p> |
| <p>Sa chás go ndéanann dalta (faoi 18 mbliana d'aois) iarratas ar rochtain, féadfaidh an scoil an méid a leanas a chur in iúl don dalta:</p> <ol style="list-style-type: none"> Sa chás go ndéanann siad iarratas ar rochtain, cuirfear a dtuismitheoirí ar an eolas go ndearna siad amhlaidh, agus Soláthrófar cóip iomlán d'ábhair an iarratais ar rochtain a sholáthraíonn an scoil don ábhar sonraí do thuismitheoir/chaomhnóir an dalta chomh maith. | <p><i>Where a student (aged under 18 years) makes an access request, the school may inform the student that:</i></p> <ol style="list-style-type: none"> <i>Where they make an access request, their parents will be informed that they have done so and</i> <i>A complete copy of the access request materials being furnished to the data subject by the school will also be furnished to the student's parent/guardian.</i> |

Foráiltear seo i mBeartas um Chosaint Sonraí na scoile. Tá an ceart rochtana faoi na hAchtanna um Chosaint Sonraí ina cheart ag an ábhar sonraí. D'fhéadfadh go bhfuil roinnt sonraí á gcoimeád ag an scoil, áfach, a d'fhéadfadh bheith ina ábhar íogair agus beidh aird ag an scoil ar an treoir a leanas a d'éisigh Oifig an Choimisinéara Cosanta Sonraí maidir leis na sonraí sin a scaoileadh:

- Féadfaidh dalta **ocht mbliana d'éag d'aois nó níos sine** (nach bhfuil thíos le haon mhíchumas leighis nó le haon riocht leighis a d'fhéadfadh baint dá c(h)umas chun toiliú a thabhairt) toiliú a thabhairt iad féin.
- Má tá dalta **ocht mbliana d'éag d'aois nó níos sine** thíos le míchumas nó le riocht leighis éigin a d'fhéadfadh baint dá c(h)umas chun an fhaisnéis a thuiscint, lorgóidh an scoil toiliú tuismitheora / caomhnóra sula scaoilfear na sonraí leis an dalta.
- Féadtar rochtain ar a sonraí pearsanta a thabhairt do dhalta **idir dhá bhliain d'éag d'aois agus seacht mbliana d'éag d'aois, an aois sin san áireamh**, ag brath ar aois an dalta agus ar chineál an taifid, i.e. má thugtar an méid a leanas le fios:
- Más gnáthfhaisnéis nó faisnéis neamhchonspóideach an fhaisnéis (e.g. taifead ar thoradh tástála) is féidir rochtain gan stró a thabhairt don dalta
- Más faisnéis de chineál íogair an fhaisnéis, ba stuama toiliú tuismitheora/caomhnóra a lorg sula scaoilfí na sonraí leis an dalta
- Más dóchúil go ndéanfaidh an fhaisnéis díobháil don duine atá i gceist, ba cheart toiliú tuismitheora/caomhnóra a lorg sula scaoiltear na sonraí leis an dalta.
- I gcás daltaí atá **faoi aois dhá bhliain d'éag**, féadfaidh a dtuismitheoir nó a gcaomhnóir iarratas ar rochtain a dhéanamh thar ceann an dalta. Ní mór don scoil a thabhairt faoi deara, áfach, gur leis an ábhar sonraí, iad féin, an ceart rochtana (i.e. gur leis an dalta an ceart). Ar an ábhar sin, ba cheart cáipéisíocht rochtana a sheoladh chuig an leanbh ag a s(h)eoladh atá cláraithe leis an scoil amhail bheith mar a s(h)eoladh baile. **Níor cheart an cháipéisíocht a sheoladh chuig nó a dhíriú ar an tuismitheoir a rinne an t-iarratas.** Chun teacht ar bhreis faisnéise, féach

This is provided for in the school's Data Protection Policy. The right of access under the Data Protection Acts is the right of the data subject. However, there may be some data held by the school which may be of a sensitive nature and the school will have regard to the following guidance issued by the Office of the Data Protection Commissioner in relation to releasing such data:

- *A student aged **eighteen years or older** (and not suffering under any medical disability or medical condition which may impair his or her capacity to give consent) may give consent themselves.*
- *If a student aged **eighteen years or older** has some disability or medical condition which may impair his or her ability to understand the information, then parental/guardian consent will be sought by the school before releasing the data to the student.*
- *A student aged from **twelve up to and including seventeen** can be given access to their personal data, depending on the age of the student and the nature of the record, i.e. it is suggested that:*
- *If the information is ordinary, routine or non-controversial (e.g. a record of a test result) the student could readily be given access*
- *If the information is of a sensitive nature, it would be prudent to seek parental/guardian consent before releasing the data to the student*
- *If the information would be likely to be harmful to the individual concerned, parental/guardian consent should be sought before releasing the data to the student.*
- *In the case of students **under the age of twelve**, an access request may be made by their parent or guardian on the student's behalf. However, the school must note that the right of access is a right of the data subject themselves (i.e. it is the right of the student). Therefore, access documentation should be addressed to the child at his/her*

| | |
|--|--|
| <p>“Nóta Tábhachtach do Thuismitheoirí a Dhéanann Iarratais ar Rochtain Thar Ceann a Linbh” thíos</p> | <p><i>address which is registered with the school as being his/her home address. It should not be addressed or sent to the parent who made the request. For further information, see “Important Note to Parents Making Access Requests on Behalf of their Child” below.</i></p> |
| <p>Nóta tábhachtach do thuismitheoirí a dhéanann iarratais ar rochtain thar ceann a linbh</p> | <p><i>Important note to parents making access requests on behalf of their child</i></p> |
| <p>Sa chás go ndéanann tuismitheoir/caomhnóir iarratas ar rochtain thar ceann a linbh (dalta faoi bhun ocht mbliana d’éag d’aois), is leis an ábhar sonraí an ceart rochtana (i.e. is leis an dalta an ceart). Sa chás sin, seolfar na hábhair rochtana chuig an leanbh, seachas an tuismitheoir a d’iarr orthu. Ciallaíonn seo go seolfar an cháipéisíocht maidir leis an iarratas ar rochtain chuig an seoladh ag a bhfuil an leanbh cláraithe ar thaifid na scoile agus beidh an cháipéisíocht dírithe orthu. Ní sheolfar an cháipéisíocht chuig ná ní dhíreofar í ar an tuismitheoir/gcaomhnóir a rinne an t-iarratas.</p> <p>Sa chás nach bhfuil tuismitheoir/caomhnóir sásta leis an socrú seo, tugtar cuireadh don tuismitheoir /caomhnóir iarratas a dhéanamh leis an gcúirt faoi alt 11 den Acht um Chaomhnóireacht Leanaí, 1964. Cuireann an fhoráil seo ar chumas na cúirte (nuair a dhéanann caomhnóir iarratas) chun treoir a dhéanamh ar aon cheist a dhéanann difear do leas an linbh.</p> <p>Sa chás go n-eisíonn cúirt ordú ina luaitear gur cheart do scoil roinnt faisnéise a chur ar fáil do thuismitheoir/chaomhnóir, ba cheart don tuismitheoir/chaomhnóir cóip den ordú sin a sholáthar don scoil agus is féidir leis an scoil na sonraí a scaoileadh de bhun ordú na cúirte.</p> | <p><i>Where a parent/guardian makes an access request on behalf of their child (a student aged under 18 years), the right of access is a right of the data subject (i.e. it is the student’s right). In such a case, the access materials will be sent to the child, not to the parent who requested them. This means that the access request documentation will be sent to the address at which the child is registered on the school’s records and will be addressed to the child. The documentation will not be sent to or addressed to the parent/guardian who made the request.</i></p> <p><i>Where a parent/guardian is unhappy with this arrangement, the parent/guardian is invited to make an application to court under section 11 of the Guardianship of Infants Act 1964. This provision enables the court (on application by a guardian) to make a direction on any question affecting the welfare of the child.</i></p> <p><i>Where a court issues an order stating that a school should make certain information available to a parent/guardian, a copy of the order should be given to the school by the parent/guardian and the school can release the data on foot of the court order.</i></p> |
| <p>Daoine a dhéanann iarratas ar rochtain</p> | <p><i>Individuals making an access request</i></p> |
| <p>Nuair a dhéantar iarratas ar rochtain, tá duine ar bith (faoi réir na srianta i Nótaí A agus B thíos) a gcoimeádann scoil Sonraí Pearsanta faoi/fúithi, i dteideal an mhéid a leanas:</p> <ul style="list-style-type: none"> • cóip de na sonraí a choimeádtar faoi/fúithi (mura mbíonn feidhm ag ceann de na díolúintí nó na toirmisc faoi na hAchtanna um Chosaint Sonraí, agus má bhíonn, cuirfear an duine ar an eolas air seo agus cuirfear an ceart atá acu in iúl dóibh chun gearán a dhéanamh leis an gCoimisinéir Cosanta Sonraí) | <p><i>On making an access request, any individual (subject to the restrictions in Notes A and B below) about whom a school keeps Personal Data, is entitled to:</i></p> <ul style="list-style-type: none"> • <i>a copy of the data which is kept about him/her (unless one of the exemptions or prohibitions under the Data Protection Acts apply, in which case the individual will be notified of this and informed of their right to make a complaint to the Data Protection Commissioner)</i> |

| | |
|--|---|
| <ul style="list-style-type: none"> • eolas a bheith acu ar an gcuspóir/na cuspóirí do phróiseáil a s(h)onraí • eolas a bheith acu ar aitheantas (nó ar chatagóirí) na ndaoine siúd a nochtar na sonraí leo • eolas a bheith acu ar fhoinse na sonraí, mura dtagann sin salach ar leas an phobail • sa chás go ndéantar an phróiseáil ar bhealach uathoibrithe (e.g. scóráil creidmheasa in institiúidí airgeadais, sa chás go ndéanann feidhmchlár ríomhaire an “cinneadh” maidir le cibé acu ar cheart nó nár cheart iasacht a dhéanamh le duine bunaithe ar a rátáil chreidmheasa), eolas a bheith acu ar an loighic atá i gceist i gcinntí uathoibrithe | <ul style="list-style-type: none"> • <i>know the purpose/s for processing his/her data</i> • <i>know the identity (or the categories) of those to whom the data is disclosed</i> • <i>know the source of the data, unless it is contrary to public interest</i> • <i>where the processing is by automated means (e.g. credit scoring in financial institutions where a computer program makes the “decision” as to whether a loan should be made to an individual based on his/her credit rating) know the logic involved in automated decisions.</i> |
| <p>Riachtanais rochtana sonraí</p> | <p>Data access requirements</p> |
| <p>Chun iarratas ar rochtain a dhéanamh, ní mór duitse, an t-ábhar sonraí, an méid a leanas a dhéanamh:</p> <ol style="list-style-type: none"> 1. Iarratas a dhéanamh i scríbhinn ina n-iarrtar ar rochtain ar do shonraí faoi alt 4 de na hAchtanna um Chosaint Sonraí nó, mar rogha air sin, Foirm um Iarratas ar Rochtain a iarraidh a chabhróidh go mór leis an scoil chun d’iarratas ar rochtain a phróiseáil níos tapúla. • Mar atá i gceist le gach meánscoil deonach, ba cheart comhfhreagras a sheoladh chuig príomhoide na scoile. 2. Soláthrófar foirm duit a chabhróidh leis an scoil chun teacht ar an bhfaisnéis ábhartha go léir a choimeádtar faoi réir na n-eisceachtaí agus na dtoirmeasc a dtugtar cuntas orthu in Aguisín A. Tá an ceart ar cosaint ag an scoil chun cruthúnas oifigiúil aitheantais a iarraidh (e.g. aitheantas grianghraif, ar nós pas nó ceadúnas tiomána) sa chás go bhfuil amhras ar bith ann maidir le saincheist an aitheantais. 3. Tar éis an fhoirm iarratais ar rochtain a fháil, ceapfar comhordaitheoir chun bailíocht d’iarratais ar rochtain a sheiceáil agus lena sheiceáil gur soláthraíodh dóthain faisnéise chun na sonraí a aimsiú a iarradh (go háirithe má tá píosaí scannáin/íomhánna CCTV le cuardach). <p>I gcás meánscoileanna deonacha, is é an príomhoide an comhordaitheoir.</p> | <p><i>To make an access request, you as a data subject must:</i></p> <ol style="list-style-type: none"> 1. <i>Apply in writing requesting access to your data under section 4 Data Protection Acts or, alternatively, request an Access Request Form which will greatly assist the school in processing your access request more quickly.</i> • <i>Correspondence should be addressed to the school principal, as is the case of all voluntary secondary schools.</i> 2. <i>You will be provided with a form which will assist the school in locating all relevant information that is held subject to the exceptions and prohibitions outlined in Appendix A. The school reserves the right to request official proof of identity (e.g. photographic identification such as a passport or driver’s licence) where there is any doubt on the issue of identification.</i> 3. <i>On receipt of the access request form, a co-ordinator will be appointed to check the validity of your access request and to check that sufficient information to locate the data requested has been supplied (particularly if CCTV footage/images are to be searched).</i> <p><i>The co-ordinator appointed is the principal, in all voluntary secondary schools.</i></p> |

| | |
|--|---|
| <p>B'fhéidir go dteastóidh ón gcomhordaitheoir teagmháil a dhéanamh leat sa chás go dteastaíonn breis sonraí d'fhonn d'iarratas ar rochtain a phróiseáil.</p> <p>4. Cuirfidh an comhordaitheoir an dáta i dtaifead a fuarthas iarratas bailí agus coimeádfaidh sé nóta ar gach beart a rinneadh chun na sonraí a iarradh a aimsiú agus a bhailiú.</p> <p>5. Cinnteoidh an comhordaitheoir go seiceáiltear gach comhad ábhartha de láimh (a choimeádtar laistigh de "chóras ábhartha comhdaithe") agus ríomhairí do na sonraí dá ndéantar an t-iarratas ar rochtain.</p> <p>6. Cinnteoidh an comhordaitheoir go soláthraítear an fhaisnéis go mear agus laistigh de na hamfhrámaí molta i míreanna 7,8 agus 9 mar is cuí.</p> <p>7. Sa chás go ndéantar iarratas faoi Alt 3 de na hAchtanna um Chosaint Sonraí, soláthrófar an fhaisnéis a leanas:</p> <p>(i) an méid atá á choimeád ag an scoil i dtaobh faisnéis phearsanta fút (nó i gcás iarratais faoi alt 3 a dhéanann tuismitheoir/caomhnóir dalta atá faoi 18 mbliana d'aois, an fhaisnéis phearsanta a choimeádtar faoin dalta sin) agus</p> <p>(ii) cur síos ar na sonraí, agus soláthrófar sonraí ar na cuspóirí dá gcoimeádtar a s(h)onraí. Ní sholáthrófar na cóipeanna féin de do chomhaid phearsanta (nó na comhaid phearsanta a bhaineann leis an dalta). Ní féidir sonraí pearsanta a sholáthar a bhaineann le duine eile. Soláthrófar freagairt do d'iarratas laistigh de 21 lá tar éis foirm um iarratas ar rochtain a fháil agus ní ghearrfar aon táille.</p> <p>8. Sa chás go ndéantar iarratas faoi Alt 4 de na hAchtanna um Chosaint Sonraí, soláthrófar an fhaisnéis a leanas laistigh de 40 lá agus gearrfar táille riaracháin €6.35. Tá an duine aonair i dteideal cóip a fháil de na sonraí pearsanta go léir, i.e.:</p> <ul style="list-style-type: none"> • Cóip de na sonraí a choimeádtar faoi/fúithi (mura mbíonn feidhm ag ceann de na díolúintí nó na toirmisc faoi na hAchtanna um Chosaint Sonraí, agus má bhíonn, cuirfear an duine ar an eolas faoi seo agus cuirfear an ceart atá acu in iúl dóibh chun | <p><i>It may be necessary for the co-ordinator to contact you in the event that further details are required with a view to processing your access request.</i></p> <p>4. <i>The co-ordinator will log the date of receipt of the valid request and keep a note of all steps taken to locate and collate the requested data.</i></p> <p>5. <i>The co-ordinator will ensure that all relevant manual files (held within a "relevant filing system") and computers are checked for the data in respect of which the access request is made.</i></p> <p>6. <i>The co-ordinator will ensure that the information is supplied promptly and within the advised timeframes in items 7, 8 and 9 as appropriate.</i></p> <p>7. <i>Where a request is made under Section 3 of the Data Protection Acts, the following information will be supplied:</i></p> <p><i>(i) what the school holds by way of personal information about you ((or in the case of a request under section 3 made by a parent/guardian of a student aged under 18 years, then the personal information held about that student) and</i></p> <p><i>(ii) a description of the data together with details of the purposes for which his/her data is being kept will be provided. Actual copies of your personal files (or the personal files relating to the student) will not be supplied. No personal data can be supplied relating to another individual. A response to your request will be provided within 21 days of receipt of the access request form and no fee will apply.</i></p> <p>8. <i>Where a request is made under Section 4 of the Data Protection Acts, the following information will be supplied within 40 days and an administration fee of €6.35 will apply. The individual is entitled to a copy of all personal data, i.e.:</i></p> <ul style="list-style-type: none"> • <i>A copy of the data which is kept about him/her (unless one of the exemptions or prohibitions under the Data Protection Acts applies, in which case the individual will be notified of this and informed of their right to</i> |
|--|---|

| | |
|---|---|
| <p>gearán a dhéanamh leis an gCoimisinéir Cosanta Sonraí)</p> <ul style="list-style-type: none"> • Eolas a bheith acu ar an gcuspoir/na cuspoirí dá bpróiseáiltear a s(h)onraí • Eolas a bheith acu ar aitheantas (nó ar chatagóirí) na ndaoine siúd a nochtar na sonraí leo • Eolas a bheith acu ar fhoinse na sonraí, mura dtagann sin salach ar leas an phobail • sa chás go ndéantar an phróiseáil ar bhealach uathobrithe (e.g. scóráil creidmheasa in institiúidí airgeadais, sa chás go ndéanann feidhmchlár ríomhaire an “cinneadh” maidir le cibé acu ar cheart nó nár cheart iasacht a dhéanamh le duine bunaithe ar a rátáil chreidmheasa), eolas a bheith acu ar an loighic atá i gceist i gcinntí uathobrithe. <p>9. Sa chás go ndéantar iarratas maidir le torthaí scrúdaithe, tugtar teorainn mhéadaithe ama 60 lá ón dáta a foilsíodh na torthaí den chéad uair nó ón dáta a rinneadh an t-iarratas ar rochtain, beidh feidhm ag pé ceann is déanaí.</p> <p>10. Sula soláthraítear an fhaisnéis a iarrann tú, mar ábhar sonraí (nó sa chás go ndéantar an t-iarratas ar rochtain thar ceann dalta atá faoi bhun 18 mbliana d’aois, faisnéis a bhaineann leis an dalta), seiceálfaidh an comhordaitheoir gach mír sonraí leis an méid a leanas a dheimhniú:</p> <ul style="list-style-type: none"> • An bhfuil aon cheann de na díolúintí nó na srianta a leagtar amach faoi na hAchtanna um Chosaint Sonraí i gceist, nach scaoilfí leis an mír sin sonraí dá bharr, nó • sa chás gur “sonraí sláinte” atá sna sonraí, cibé acu an mbíonn nó nach mbíonn feidhm ag cleachtóir leighis an ábhair shonraí, nó • sa chás gur “sonraí oibre sóisialta” na sonraí, cibé acu an mbíonn nó nach mbíonn feidhm ag an toirmeasc ar scaoileadh. <p>11. Má tá baint ag sonraí a bhaineann le tríú páirtí, ní nochtfar iad gan toiliú an tríú páirtí sin nó, mar mhalairt air sin, déanfar na sonraí a lua gan ainm chun aitheantas an tríú páirtí a cheilt. Sa chás nach bhfuil sé indéanta na sonraí a lua gan ainm lena chinntiú nach sainaithnítear an tríú páirtí, ní féidir scaoileadh leis an mír sin sonraí.</p> | <p><i>make a complaint to the Data Protection Commissioner)</i></p> <ul style="list-style-type: none"> • <i>Be advised of the purpose/s for processing his/her data</i> • <i>Be advised of the identity (or the categories) of those to whom the data is disclosed</i> • <i>Be advised of the source of the data, unless it is contrary to public interest</i> • <i>where the processing is by automated means (e.g. credit scoring in financial institutions where a computer program makes the “decision” as to whether a loan should be made to an individual based on his/her credit rating), know the logic involved in automated decisions.</i> <p>9. <i>Where a request is made with respect to examination results an increased time limit of 60 days from the date of the first publication of the results or from the date of the access request, whichever is the later will apply.</i></p> <p>10. <i>Before supplying the information requested to you as data subject (or where the access request is made on behalf of a student aged under 18 years, information relating to the student), the co-ordinator will check each item of data to establish:</i></p> <ul style="list-style-type: none"> • <i>If any of the exemptions or restrictions set out under the Data Protection Acts apply, which would result in that item of data not being released, or</i> • <i>where the data is “health data”, whether the obligation to consult with the data subject’s medical practitioner applies, or</i> • <i>where the data is “social work data”, whether the prohibition on release applies.</i> <p>11. <i>If data relating to a third party is involved, it will not be disclosed without the consent of that third party or alternatively the data will be anonymised in order to conceal the identity of the third party. Where it is not possible to anonymise the data to ensure that the third party is not identified, then that item of data may not be released.</i></p> |
|---|---|

12. Sa chás go bhféadfadh nach bhfuil scoil cinnte faoi cén fhaisnéis le scaoileadh, tá an ceart ar cosaint ag an scoil chun comhairle dlí a lorg.
13. Cinnteoidh an comhordaitheoir go soláthraítear an fhaisnéis i bhfoirm intuigthe (e.g. mínítear na cóid) nó soláthróidh siad míniú.
14. Na cáipéisí a sholáthraítear a uimhriú.
15. Cuirfidh duine cuí a n-ainm leis an bhfreagairt.
 - I gcás meánscoileanna deonacha, déanann an príomhoide a (h)ainm a chur leis.
16. Tabharfaidh an scoil freagra ar d'iarratas ar rochtain laistigh de na hamfhrámaí molta ag brath ar shaghas an iarratais a dhéantar.
17. Tá an ceart ar cosaint ag an scoil chun faisnéis phearsanta a sholáthar do dhuine i bhformáid leictreonach, e.g. ar théip, USB, CD etc.
18. Sa chás go ndéantar a mhacasamhail d'iarratas ar rochtain nó go ndéantar iarratas ina dhiaidh sin tar éis gur comhlíonadh an chéad iarratas, tá sé faoi lánrogha na scoile a dheimhniú cad is eatramh réasúnta ann idir iarratais ar rochtain agus déanfar seo a mheasúnú ar bhonn cás ar chás.
19. Sa chás go dtugann tú féin, mar ábhar sonraí aonair, faoi fhaisnéis mhícheart atá á coimeád ag an scoil a chur ina ceart, iarrtar ort an scoil a chur ar an eolas agus soláthrófar foirm duit don chuspóir seo. Ba cheart duit a thabhairt faoi deara, áfach, nach bhfuil ceart iomlán agat chun sonraí pearsanta a chur ina gceart nó a scriosadh. Tá an ceart agat chun gearán a dhéanamh leis an gCoimisinéir um Chosaint Sonraí faoi dhiúltú. Sa chás go ndiúltaíonn an scoil chun na sonraí pearsanta a chur ina gceart nó a scriosadh faoi mar a d'ordaigh tú, féadfaidh an scoil a bheartú chun cur le do thaifead pearsanta, de bhun alt 6(1)(b) de na hAchtanna um Chosaint Sonraí.
20. Faoi chúinsí ina ndiúltaítear d'iarratas ar rochtain, scríobhfaidh Gaelcholaiste Phort Láirge chugat agus míneoidh siad duit na cúiseanna a bhí leis an diúltú agus aisíocfar an táille riaracháin, má ghearrtar í, leat. Faoi na cúinsí sin, tá an ceart agat chun gearán a dhéanamh le hOifig an Choimisinéara Cosanta Sonraí www.dataprotection.ie. Aisíocfar an táille riaracháin

12. *Where a school may be unsure as to what information to disclose, the school reserves the right to seek legal advice.*
13. *The co-ordinator will ensure that the information is provided in an intelligible form (e.g. codes explained) or will provide an explanation.*
14. *Number the documents supplied.*
15. *Have the response "signed-off" by an appropriate person.*
 - *In the case of voluntary secondary schools, the principal signs off.*
16. *The school will respond to your access request within the advised timeframes contingent on the type of request made.*
17. *The school reserves the right to supply personal information to an individual in an electronic format e.g. on tape, USB, CD etc.*
18. *Where a subsequent or similar access request is made after the first request has been complied with, the school has discretion as to what constitutes a reasonable interval between access requests and this will be assessed on a case-by case basis.*
19. *Where you as an individual data subject may seek to rectify incorrect information maintained by the school, please notify the school and a form will be supplied to you for this purpose. You should however note that the right to rectify or delete personal data is not absolute. You have the right to make a complaint to the Data Protection Commissioner about a refusal. Where the school declines to rectify or delete the personal data as you have instructed, the school may propose to supplement your personal record, pursuant to section 6(1)(b) Data Protection Acts.*
20. *In circumstances where your access request is refused, Gaelcholáiste Phort Láirge will write to you explaining the reasons for the refusal and the administration fee, if provided, will be returned. In such circumstances, you have the right to make a complaint to the Office of the Data Protection Commissioner*

rochtana, ar an gcuma chéanna, leat má tá ar an scoil do shonraí pearsanta a chur ina gceart, cur leis na sonraí nó iad a scriosadh.

21. **Sa chás go ndéantar iarratais ar phíosa scannáin CCTV**, ní mór iarratas a dhéanamh i scríbhinn agus caithfear freagra a thabhairt laistigh de 40 lá. Ba cheart an fhaisnéis riachtanach go léir a sholáthar don scoil, ar nós dáta, am agus láthair an taifeadta chun déileáil le d'iarratas. Má tá an íomhá ar chaighdeán chomh híseal sin nach sainaithnítear duine go soiléir, ní féidir a mheas gurb ionann an íomhá sin agus sonraí pearsanta. Nuair a bhíonn cóip de shonraí pearsanta á soláthar, féadfaidh an scoil na hábhair a sholáthar i bhfoirm ghrianghraif/sraith phictiúir ghrianghraif, téip, diosca, USB, ar a bhfuil na híomhánna ábhartha. Déanfar íomhánna eile de dhaoine eile a dhoiléiriú sula scaoilfear leis na sonraí. Mura féidir íomhánna de dhaoine a dhoiléiriú, ní féidir scaoileadh leis na híomhánna/na taifeadtaí.

Tá roinnt eisceahtá ann i leith riail ghinearálta an chirt rochtana, lena n-áirítear iad siúd a shonraítear i Nótaí A agus B in **Aguisín A**.

Déantar athbhreithniú rialta ar an nós imeachta seo ar aon dul le tiomantas na scoile i leith a bhfreagrachtaí faoi chosaint sonraí.

www.dataprotection.ie. Similarly, the administration access fee will be refunded to you if the school has to rectify, supplement or erase your personal data.

21. **Where requests are made for CCTV footage**, an application must be made in writing and the timeframe for response is within 40 days. All necessary information such as the date, time and location of the recording should be given to the school to assist the school in dealing with your request. Where the image is of such poor quality as not to clearly identify an individual, that image may not be considered to be personal data. In providing a copy of personal data, the school may provide the materials in the form of a still/series of still pictures, a tape, disk, USB, with relevant images. Other people's images will be obscured before the data is released. If other people's images cannot be obscured, then the images/recordings may not be released.

There are a number of exceptions to the general rule of right of access, including those specified in Notes A and B in **Appendix A**.

This procedure is regularly reviewed in line with the school's commitment to its responsibilities under data protection.

| | | |
|---|------|------------|
| Ghlac an Bord Bainistíochta leis an mbeartas seo ar: | Dáta | 10/06/2020 |
| Rinneadh an t-athbhreithniú is déanaí ar an mbeartas seo ar : | Dáta | |
| Sínithe ag: Chathaoirleach an Bhoird Bhainistíochta | | |
| Sínithe ag: Príomhoide GCPL | | |

| | | |
|--|------|------------|
| Approved by the Board of Management on: | Date | 10/06/2020 |
| Policy last reviewed on : | Date | |
| Signed by: Chairperson of Board of Management | | |
| Signed by: Principal of GCPL | | |

| Aguisín A Nóta A: Iarratais ar Rochtain ag Daltaí | Appendix A Note A: Access Requests by Students |
|--|---|
| <ul style="list-style-type: none"> • Féadfaidh dalta ocht mbliana d'éag d'aois nó níos sine (nach bhfuil thíos le haon mhíchumas leighis nó le haon riocht leighis a d'fhéadfadh baint dá c(h)umas chun toiliú a thabhairt) toiliú a thabhairt iad féin. • Má tá dalta ocht mbliana d'éag d'aois nó níos sine thíos le míchumas nó le riocht leighis éigin a d'fhéadfadh baint dá c(h)umas chun an fhaisnéis a thuiscint, lorgóidh an scoil toiliú tuismitheora/caomhnóra sula scaoilfear na sonraí leis an dalta. • Féadtar rochtain ar a sonraí pearsanta a thabhairt do dhalta idir dhá bhliain d'éag d'aois agus seacht mbliana d'éag d'aois, an aois sin san áireamh, ag brath ar aois an dalta agus ar chineál an taifid, i.e. má thugtar an méid a leanas le fios: • Más gnáthfhaisnéis nó faisnéis neamhchospóideach an fhaisnéis (e.g. taifead ar thoradh tástála), is féidir rochtain gan stró a thabhairt don dalta: • Más faisnéis de chineál íogair an fhaisnéis, ba stuama toiliú tuismitheora/caomhnóra i scríbhinn a lorg sula scaoilfí na sonraí leis an dalta Sa chás nach dtugann an tuismitheoir/caomhnóir a dtailiú chun na sonraí a scaoileadh leis an dalta, ba cheart comhairle dlí a lorg • Más dóchúil go ndéanfadh an fhaisnéis díobháil don duine atá i gceist, ba cheart toiliú tuismitheora/caomhnóra a lorg sula scaoiltear na sonraí leis an dalta. • I gcás daltaí atá faoi aois dhá bhliain d'éag, féadfaidh a dtuismitheoir nó a gcaomhnóir iarratas ar rochtain a dhéanamh thar ceann an dalta. Ní gá toiliú an linbh a fháil. Ní mór don scoil a thabhairt faoi deara, áfach, gur leis an ábhar sonraí, iad féin, an ceart rochtana (i.e. gur leis an dalta an ceart). Ar an ábhar sin, ba cheart cáipéisíocht rochtana a sheoladh chuig an leanbh ag a s(h)eoladh atá cláraithe leis an scoil amhail bheith mar a s(h)eoladh baile. Níor cheart an | <ul style="list-style-type: none"> • A student aged eighteen years or older (and not suffering under any medical disability or medical condition which may impair his or her capacity to give consent) may give consent themselves. • If a student aged eighteen years or older has some disability or medical condition which may impair his or her ability to understand the information, then parental/guardian consent will be sought by the school before releasing the data to the student. • A student aged from twelve up to and including seventeen can be given access to their personal data, depending on the age of the student and the nature of the record, i.e. it is suggested that: • If the information is ordinary, routine or non-controversial (e.g. a record of a test result) the student could readily be given access: • If the information is of a sensitive nature, it would be prudent to seek parental/guardian consent in writing before releasing the data to the student. Where the parent/guardian does not give their consent to releasing the data to the student, legal advice should be sought • If the information would be likely to be harmful to the individual concerned, parental/guardian consent should be sought before releasing the data to the student. • In the case of students under the age of twelve, an access request may be made by their parent or guardian on the student's behalf. The consent of the child need not be obtained. However, the school must note that the right of access is a right of the data subject themselves (i.e. it is the right of the student). Therefore, access documentation |

| | |
|--|---|
| <p>cháipéisíocht a sheoladh chuig nó a dhíriú ar an tuismitheoir a rinne an t-iarratas. Chun teacht ar bhreis faisnéise, féach “Nóta Tábhachtach do Thuismitheoirí a Dhéanann Iarratais ar Rochtain Thar Ceann a Linbh” thíos.</p> <ul style="list-style-type: none"> In aon cheann de na cúinsí ar a dtugtar cuntas thuas, má tá sonraí sláinte sna sonraí agus más dócha go ndéanfaí díobháil thromchúiseach do shláinte fhisiciúil nó mheabhrach an duine atá i gceist trína nochtadh, tá dualgas ar an scoil na sonraí a shiarchoinneáil go dtí go ndéanann siad comhairliúchán le cleachtóir leighis an ábhair shonraí agus (i gcás dalta faoi 18 mbliana d’aois nó dalta ag a bhfuil riachtanais speisialta oideachais a mbainfeadh a m(h)íchumas nó a riocht leighis dá c(h)umas chun an fhaisnéis a thuiscint), ba cheart toiliú tuismitheora/caomhnóra a lorg chomh maith. I roinnt cásanna (i.e. sa chás gur “sonraí sláinte” atá san fhaisnéis), moltar go soláthraíonn an cleachtóir leighis na sonraí. <p>In aon cheann de na cúinsí ar a dtugtar cuntas thuas, má tá sonraí faoi obair shóisialta sna sonraí agus más dócha go ndéanfaí díobháil thromchúiseach do shláinte fhisiciúil nó mheabhrach an duine atá i gceist trína nochtadh, ní cheadaítear don scoil na sonraí a scaoileadh leis an duine.</p> | <p><i>should be addressed to the child at his/her address which is registered with the school as being his/her home address. It should not be addressed or sent to the parent who made the request. For further information, see “Important Note to Parents Making Access Requests on Behalf of their Child” below.</i></p> <ul style="list-style-type: none"> <i>In any of the circumstances outlined above, if the data contains health data and disclosure would be likely to cause serious harm to the physical or mental health of the individual concerned, the school is obliged to withhold the data until they have consulted with the data subject’s medical practitioner and (in the case of a student under 18 or a student with special educational needs whose disability or medical condition would impair his or her ability to understand the information), parental/guardian consent should also be sought.</i> <i>In some cases (i.e. where the information is “health data”), it is advised that the data be supplied by the medical practitioner.</i> <p><i>In any of the circumstances outlined above, if the data contains social work data and disclosure would be likely to cause serious harm to the physical or mental health of the individual, the school is not permitted to release the data to the individual.</i></p> |
| <p>Nóta B: Eisceachtaí leis an nóta:</p> | <p>Note B: Exceptions to note:</p> |
| <p>Cuirtear toirmeasc sna rialacháin um chosaint sonraí ar an méid a leanas a sholáthar:</p> <ul style="list-style-type: none"> Sonraí sláinte a sholáthar d’othar mar fhreagairt ar iarratas ar rochtain dá mbeadh sin ina chúis le díobháil thromchúiseach a dhéanamh dá s(h)láinte fhisiciúil nó mheabhrach. Is amhlaidh atá seo chun an duine a chosaint ó rud ar bith a chloisteáil faoi/fúithi féin ar dócha go ndéanfadh sé díobháil thromchúiseach dá s(h)láinte fhisiciúil nó mheabhrach nó dá f(h)olláine mhothúcháinach. I gcás sonraí sláinte, ní féidir scaoileadh leis an bhfaisnéis | <p><i>Data protection regulations prohibit the supply of:</i></p> <ul style="list-style-type: none"> <i>Health data to a patient in response to a request for access if that would be likely to cause serious harm to his or her physical or mental health. This is to protect the individual from hearing anything about himself or herself which would be likely to cause serious harm to their physical or mental health or emotional well-being. In the case of health data, the information can only be released after the school has</i> |

ach i ndiaidh go ndeachaigh an scoil i gcomhairle leis an ngairmí cúí sláinte (LG an ábhair shonraí de ghnáth).

- Cuirtear cosc, chomh maith, ar *Shonraí Pearsanta* a fuarthas fad a bhíodhas ag tabhairt faoi obair shóisialta (“**sonraí faoi obair shóisialta**”) (sonraí pearsanta a choimeád nó a fuair roinn Rialtais, údarás áitiúil, FSS etc. fad a bhíodhas ag tabhairt faoi obair shóisialta) faoi roinnt cúinsí más dóchúil go ndéanfadh sé díobháil thromchúiseach do shláinte nó do riocht mothúchánach an ábhair shonraí atá i gceist. I gcás sonraí faoi obair shóisialta, ní féidir an fhaisnéis a sholáthar in aon chor má chreideann an scoil gur dócha go ndéanfadh sé díobháil thromchúiseach do shláinte fhisiciúil nó mheabhrach nó do riocht mothúchánach an ábhair shonraí. Má áirítear le hobair shóisialta faisnéis a sholáthair duine don scoil (seachas ceann d’fhostaithe nó gníomhairí na scoile) fad a bhíodhas ag tabhairt faoi obair shóisialta, ní chheadaítear don scoil an fhaisnéis sin a sholáthar don ábhar sonraí gan dul i gcomhairle leis an duine sin a sholáthair an fhaisnéis.

Luaitear sna hAchtanna um Chosaint Sonraí go bhfuil na sonraí a leanas **díolmhaithe** ó iarratas ar rochtain sonraí:

1. Foráiltear in alt 5 den Acht um Chosaint Sonraí nach mbíonn feidhm ag an gceart rochtana i líon cásanna chun cothromaíocht a bhaint amach idir cearta an duine, ar thaobh amháin den phingin, agus roinnt riachtanais thábhachtacha de chuid na sochaí sibhialta ar an taobh eile den phingin. I measc na samplaí, bheadh an gá atá le gníomhaireachtaí stáit (ar nós an Gharda Síochána) chun **imscrúdú éifeachtach a dhéanamh ar an gcoireacht** agus an gá atá le caidreamh idirnáisiúnta an Stáit a chosaint.
2. **Meastacháin i leith dliteanais:** sa chás go mbíonn sé de chuspóir sna sonraí pearsanta, nó go gcoimeádtar na sonraí pearsanta don chuspóir chun méid dhliteanas na scoile a mheas de bhun éilimh ar dhamáistí nó ar chúiteamh agus sa chás gur dhócha go mbainfí de leasanna na scoile maidir leis an éileamh,

consulted with the appropriate health professional (usually the data subject’s GP).

- *Personal Data obtained in the course of carrying on social work (“social work data”) (personal data kept for or obtained in the course of carrying out social work by a Government department, local authority, the HSE etc) is also restricted in some circumstances if that would be likely to cause serious harm to the health or emotional condition of the data subject concerned. In the case of social work data, the information cannot be supplied at all if the school believes it would be likely to cause serious harm to the physical or mental health or emotional condition of the data subject. If the social work data includes information supplied to the school by an individual (other than one of the school’s employees or agents) while carrying out social work, the school is not permitted to supply that information to the data subject without first consulting that individual who supplied the information.*

*The Data Protection Acts state that the following data is **exempt** from a data access request:*

1. *Section 5 of the Data Protection Act provides that the right of access does not apply in a number of cases in order to strike a balance between the rights of the individual, on the one hand, and some important needs of civil society on the other hand. Examples would include the need for state agencies (like An Garda Síochána) to **investigate crime** effectively and the need to protect the international relations of the State.*
2. ***Estimates of liability:** where the personal data consists of or is kept for the purpose of estimating the amount of the liability of the school on foot of a claim for damages or compensation and where releasing the estimate would be likely to prejudice the*

tríd an meastachán a scaoileadh, féadtar na sonraí a shiarchoinneáil.

3. **Faisnéis atá faoi phribhléid dhlíthiúil:** is í an riail ghinearálta ná go mbíonn an cháipéisíocht go léir a ullmhaítear agus aird ar dhlíthíocht, faoi phribhléid dhlíthiúil. Mar sin, níor cheart comhfhreagras idir an scoil agus a n-arnaetha maidir le cás i gcoinne na scoile a nochtadh don éilitheoir de bhun iarratais ar rochtain sonraí.
4. Luaitear in alt 4 nach n-áirítear leis an gceart rochtana ceart chun **sonraí pearsanta faoi dhuine eile** a fheiceáil gan toiliú an duine eile sin a fháil. Teastaíonn seo chun cearta príobháideachta an duine eile a chosaint. Má tá sé réasúnta don scoil an tátal a bhaint as go ndéanfaí aitheantas an tríú páirtí a cheilt trí na critéir a shaináithníonn an tríú páirtí a chur in eagar nó a fhágáil ar lár agus má chuirfidh seo ar a gcumas na sonraí a nochtadh (faoi réir an chuir in eagar), d'fhéadfaí na sonraí a nochtadh tar éis an cur in eagar sin a dhéanamh. Mura féidir na critéir a chur in eagar nó a fhágáil ar lár, áfach, a shaináithníonn tríú páirtí, níor cheart scaoileadh leis na sonraí a ndearnadh difear dóibh leis an iarratasóir.
5. Luaitear in alt 4, chomh maith, sa chás go mbíonn **nochtadh tuairime** i sonraí pearsanta faoin ábhar sonraí a rinne duine eile, tá an ceart ag an ábhar sonraí léiriú iomlán na tuairime sin a fháil **seachas** sa chás gur léiríodh an tuairim sin faoi iontaoibh, agus gur tuigeadh go soiléir go gcaithfí leis amhail bheith faoi rún.
6. Ní bhíonn an dualgas i gceist chun iarratas ar rochtain a chomhlíonadh nuair is féidir leis an scoil na sonraí a sholáthar nó sa chas go mbíonn iarracht dhíréireach i gceist leis.

Sa chás go ndiúltaíonn scoil cuid de na sonraí pearsanta nó na sonraí pearsanta go léir a choimeádann siad maidir le hábhar sonraí (ar bhonn aon chinn de na díolúintí nó na toirmisc a leagtar amach thuas) a thabhairt suas, ní mór don scoil seo a chur in iúl don ábhar sonraí i scríbhinn,

interests of the school in relation to the claim, the data may be withheld.

3. **Legally privileged information:** *the general rule is that all documentation prepared in contemplation of litigation is legally privileged. So, correspondence between the school and their solicitors in relation to a case against the school should not be disclosed to the claimant pursuant to a data access request.*
4. *Section 4 states that the right of access does not include a right to see **personal data about another individual**, without that other person's consent. This is necessary to protect the privacy rights of the other person. If it is reasonable for the school to conclude that redacting or omitting the particulars identifying the third party would both conceal the identity of the third party and enable the data to be disclosed (subject to the redactions), then the data could be disclosed with such redactions. However, if it is not possible to redact or omit the particulars which identify a third party, then the affected data should not be released to the applicant.*
5. *Section 4 also states that where personal data consists of **expressions of opinion** about the data subject made by another person, the data subject has a right to receive that expression of opinion **except** where that expression of opinion was given in confidence, and on the clear understanding that it would be treated as confidential.*
6. *The obligation to comply with an access request does not apply where it is impossible for the school to provide the data or where it involves a disproportionate effort.*

Where a school refuses to hand over some or all of the personal data they hold in relation to a data subject (on the basis of any of the

agus na cúiseanna a bhí leis an diúltú a leagan amach agus fógra a thabhairt don ábhar sonraí go bhfuil an ceart aige nó aici chun gearán a dhéanamh le hOifig an Choimisinéara Cosanta Sonraí faoin diúltú.

Chun teacht ar bhreis faisnéise, tabhair cuairt ar [Cad a tharlaíonn má dhiúltaíonn scoil/BOO iarratas ar rochtain?](#)

exemptions or prohibitions set out above), the school must advise the data subject of this in writing, setting out reasons for the refusal and notifying the data subject that he or she has the right to complain to the Office of the Data Protection Commissioner about the refusal.

For further information, see [What if a school/ETB refuses an access request?](#)