



### **OVER-18s DATA PROTECTION FORM**

**Summary: If your son/daughter is 18 or is turning 18 soon: 1. Print over-18 form from website or collect from front office; 2. complete it with your over-18 son/daughter; 3. return form to year head; 4. parent can then continue to access student data through VSware and payment system to support their son/daughter if they are the nominated adults on the form.**

Dear Parent/Guardian,

On foot of the introduction of the General Data Protection Regulations (GDPR), Lucan Community College reviewed the legal basis upon which it processes student data as part of the Dublin and Dún Laoghaire ETB Data Policy. The full text of this policy is available at <http://www.ddletb.ie/corporate/corporate-about-us/publications/publications-policies/>.

One of the bases upon which Lucan Community College processes student data is pursuant to section 22(2)(b) of the Education Act 1998, which requires Principals and teachers to “regularly evaluate students and periodically report the results of the evaluation to the students and their parents.” However, of particular significance in the context of data protection is section 9(g) of that Act which requires that a school use its resources to “ensure that parents of a student, or in the case of a student who has reached the age of 18 years, the student, have access in the prescribed manner to records kept by that school relating to the progress of that student in his or her education.” Essentially, this means that the school’s legal basis for communicating student data with parents ends when the student attains the age of majority (eighteen years).

Owing to the above, I am writing to inform you that if your son/daughter reaches the age of eighteen years whilst still a registered student in this school, then we are legally obliged to share their personal data with him/her only. We understand and appreciate that this may cause a level of apprehension and some difficulties in the use of, and signing in to, the student management system, VSware and the online payment system MIT/Enrol, but, as I’m sure you understand, the school is obliged to comply with legislation.

However, if there is any concern regarding the vital interests of your son/daughter, e.g. health or behavioural concerns which are viewed to negatively affect their well-being, or if the information is in the public interest, then, under the legislation, school authorities have a legal basis for communicating such information to parents/guardians of adult students.

There is also an option for adult students to request Lucan Community College to communicate with their **adult** nominated person(s) regarding personal data held about them by the school. This would allow the school to continue to communicate with parents (at meetings and by text, email and post) where they are nominated and also allow parents to continue to log in to VSware for student progress and to use MIT to manage payments etc. In this regard, we have prepared a sample form for adult students to make such a request and this form is enclosed herewith.

**We now ask that you talk to your 18 year old son/daughter about this issue and ask your son/daughter to print the form from here ([lucancc.ie](http://lucancc.ie) - quicklinks – over-18 form) complete it, email it to [admin@lucancc.ie](mailto:admin@lucancc.ie) or directly to the Year Head. If s/he chooses to nominate you then we will continue to update you with of his/her educational progress within the school and you will continue to have access to VSware and be able to pay their educational expenses through MIT.**

Yours sincerely, Diane Birnie (Principal)