



# MIDLETON CBS PRIMARY SCHOOL

Scoil na mBráithre, Rosary Place, Midleton, Co. Cork.

Roll No: 16684W

## DATA PROTECTION POLICY

*(In line with GDPR, Data Protection Acts 1988–2018, DE Guidelines & IPPN Best Practice)*

### 1. Introductory Statement

This Data Protection Policy applies to all personal data held by the **Board of Management (BoM) of Midleton CBS Primary School**. The school complies with the **Data Protection Acts 1988–2018**, the **EU General Data Protection Regulation (GDPR)** and all current guidance and circulars from the **Department of Education (DE)** and **IPPN**.

The policy applies to:

- All school staff
- The Board of Management
- Parents/guardians
- Pupils (current and past)
- Applicants for admission and employment
- Volunteers, contractors and other persons who interact with the school where personal data are processed.

Midleton CBS Primary School operates a “**Privacy by Design and by Default**” approach. This means we:

1. Plan carefully when collecting and using personal data.
2. Build data protection principles into our systems and practices from the outset.
3. Audit and document the personal data we hold and how we process it.
4. Promote accountability, transparency and security.

Personal data is stored securely so that confidential information is protected and used only in accordance with applicable legislation.

### 2. Purpose of this Policy

This policy aims to:

- Assist the school in meeting its statutory obligations under GDPR and national data protection law.
- Explain how and why the school collects, uses, shares and retains personal data.
- Inform data subjects (pupils, parents, staff and others) of their rights.
- Provide staff and the BoM with clear guidance on good practice in relation to data protection.

### 3. Scope



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This policy applies to all **personal data** processed by the school, whether:

- On paper (manual files, forms, notes, minutes)
- In electronic format (computers, laptops, USBs, tablets, phones)
- On cloud-based platforms and school-approved software systems
- Audio, photographic and video records
- CCTV recordings.

It covers data processed:

- On-site in the school
- Off-site by staff in the course of school business
- By third-party data processors acting on behalf of the BoM.

## 4. Legal and Regulatory Framework

In addition to the Data Protection Acts and GDPR, implementation of this policy takes account of the school's other legal obligations, including but not limited to:

- Education Act 1998 (e.g. s.9, s.20–21)
- Education (Welfare) Act 2000
- Education for Persons with Special Educational Needs Act 2004
- Children First Act 2015 and Child Protection Procedures for Primary and Post-Primary Schools
- Safety, Health and Welfare at Work Act 2005
- Teaching Council Acts
- Revenue legislation
- Pupil Online Database (POD) requirements
- Tusla and NCSE reporting obligations.

The school also has regard to guidance and resources from:

- Data Protection Commission (DPC)
- Department of Education
- IPPN and CPSMA.

## 5. Key Definitions

### Personal Data

Any information relating to an identified or identifiable living person (data subject), either on its own or combined with other information.

### Special Categories of Personal Data

Personal data revealing:



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- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Genetic or biometric data
- Health data (physical or mental)
- Sexual life or sexual orientation
- Criminal convictions or alleged offences.

## Data Subject

The individual to whom the personal data relate.

## Data Controller

The **Board of Management of Midleton CBS Primary School**, which decides the purposes and means of processing personal data.

## Data Processor

Any person or organisation that processes personal data on behalf of the Data Controller (e.g. Aladdin, payroll providers, IT platforms) but is not a school employee.

## Processing

Any operation performed on personal data, including collecting, recording, organising, storing, adapting, retrieving, consulting, using, disclosing, erasing or destroying.

## Personal Data Breach

A breach of security leading to accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.

## 6. Data Protection Principles

The BoM, as Data Controller, ensures that all personal data are:

1. **Processed lawfully, fairly and transparently**
  - Individuals are informed about why their data are collected and how they are used.
2. **Collected for specified, explicit and legitimate purposes**
  - Data are collected for clear educational, employment or statutory purposes.
3. **Processed only in ways compatible with those purposes**
  - Data are not used for purposes that are incompatible with the original purpose of collection.
4. **Adequate, relevant and limited to what is necessary**
  - The school only collects and holds the minimum data needed.
5. **Accurate and kept up-to-date**
  - Data subjects (or parents/guardians) are encouraged to notify the school of changes, and records are updated promptly.
6. **Stored no longer than necessary**
  - Data are retained in line with the school's **Data Retention Schedule** (Appendix 1).
7. **Kept safe and secure**



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- Appropriate technical and organisational measures are in place to prevent unauthorised access, loss or damage.

## 8. Available to data subjects on request

- Individuals have a right of access to their personal data, subject to limited exemptions.

## 7. Lawful Bases for Processing

The school processes personal data under one or more of the following **lawful bases**:

- **Legal Obligation**

To comply with education, child protection, employment, tax and other statutory requirements (e.g. attendance returns, DES returns, Tusla reporting).

- **Public Interest / Exercise of Official Authority**

Education is a function carried out in the public interest, including provision of primary education and related supports.

- **Contract**

For example, to administer staff contracts and payroll.

- **Vital Interests**

To protect the vital interests of a pupil or staff member (e.g. in a medical emergency).

- **Consent**

Used for optional activities (e.g. school photography for social media, after-school clubs, certain trips/activities). Consent is:

- Freely given
- Specific
- Informed
- Unambiguous
- Demonstrated by a clear affirmative action.

Consent can be withdrawn at any time for processing that is based on consent.

- **Legitimate Interests**

In limited cases (e.g. school security and safeguarding via CCTV) where such interests are not overridden by the rights of the data subject.

Special categories of personal data (e.g. health, SEN) are processed under additional conditions, such as:

- Substantial public interest
- Provision of health or social care
- Vital interests in emergencies.

## 8. Categories of Personal Data Processed

### 8.1 Staff Records

#### Categories of Staff Data

May include:



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- Name, address, contact details, PPS number
- Next-of-kin details (for emergency use)
- Application and appointment records
- Contract of employment and role details
- Vetting records (Garda Vetting, Teaching Council registration)
- Payroll data, bank details (where applicable)
- Approved absences (e.g. parental leave, career breaks)
- Qualifications, teaching/role history
- Accident/injury reports arising in the course of employment
- Records of training and professional development
- Records of mandated reporting under Children First Act 2015
- Disciplinary and grievance records (where applicable).

## Purposes

To:

- Manage and administer employment relationships
- Facilitate salary, pension and statutory entitlements
- Comply with employment, DES and Revenue obligations
- Ensure a safe and efficient working environment
- Meet legal obligations in child protection and safeguarding.

## Location & Security

- Manual staff files: kept in a secure, locked filing cabinet in a locked administration office.
- Digital staff records: stored on password-protected systems with appropriate encryption and firewall protection, accessible only to authorised personnel.

## 8.2 Pupil Records

### Categories of Pupil Data

May include:

- Name, address, contact details, PPS number
- Date and place of birth
- Parent/guardian details, including custody/guardianship information
- Religion (for the purposes of religious instruction where applicable)
- Ethnic origin and membership of Traveller community (if provided)
- Medical card status (where relevant)
- Whether English is an additional language and language support needs
- Information on previous schooling, assessment and academic history
- SEN and support records, including psychological, medical and other professional reports
- Attendance records
- Behaviour and disciplinary records
- Records of accidents and incidents (including where child protection may be a factor)
- Exemption from Irish (where applicable)
- Assessment data (standardised tests, class tests, projects, teacher observations, reports)



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- Participation in learning support and resource teaching
- Child protection records and mandated reports (held in line with Child Protection Procedures)
- Photographs and recorded images (subject to consent and in line with School Photography & AUP policies)
- POD data required by the Department of Education.

## Purposes

To:

- Enable each pupil to develop to their full potential
- Meet legal obligations (e.g. attendance, POD returns, child protection)
- Provide appropriate educational, pastoral, SEN and wellbeing supports
- Communicate effectively with parents/guardians about progress, attendance and school events
- Administer school activities, tours, events and extracurricular opportunities
- Transfer pupil information to other schools and relevant agencies in line with legislation
- Record and celebrate achievements and the history of the school (e.g. yearbooks, displays, website), where consent applies.

## Location & Security

- Pupil files are stored securely in locked cabinets and/or on password-protected systems (e.g. Aladdin) with access limited to relevant staff.
- Sensitive data (e.g. child protection, SEN, psychological reports) are stored with particularly restricted access.

## 8.3 Board of Management Records

### Categories of Data

- Names, addresses and contact details of current and former BoM members
- Records of appointment and term of office
- Minutes of BoM meetings and associated correspondence (which may include personal data).

### Purpose

- To enable the BoM to fulfil its governance responsibilities under the Education Acts and related legislation.
- To maintain a record of decisions and actions taken.

### Security

- BoM records are stored securely. Access is limited to the Chairperson, Principal and authorised individuals.

## 8.4 Creditors and Suppliers



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## Categories of Data

For individuals and some corporate suppliers:

- Name, address, contact details
- PPS number (where relevant)
- Tax and bank details
- Amounts paid and payment history.

## Purpose

- To manage the school's financial affairs
- To pay invoices and maintain financial accounts
- To comply with Revenue and audit requirements.

## Security

- Held securely in the school office and accounting systems with restricted access.

## 8.5 Donors – Charity Tax-Back Scheme

### Categories of Data

- Name, address, contact details
- PPS number
- Tax status/rate
- Signature and donation details.

### Purpose

- To claim tax relief on donations under the Revenue-approved scheme (e.g. CHY3/CHY4 forms).
- Records retained in the event of Revenue audit.

## 8.6 CCTV Images/Recordings

CCTV is installed in Midleton CBS Primary School in specific internal and external areas for security and safety purposes.

### Locations

- External: perimeter, entrances, and other strategic external locations (no cameras in areas where there is a reasonable expectation of privacy).
- Internal: e.g. foyer/main staff entrance.
- CCTV is **not** used in classrooms, toilets or changing areas.

### Purposes



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- To enhance the safety and security of pupils, staff, visitors and school property.
- To deter and investigate incidents of vandalism, theft, or unauthorised access.

## Security & Access

- Viewing equipment is located in the main school administration office.
- Access is restricted to the Principal and Deputy Principal, or a designated authorised person.
- Footage may be disclosed to An Garda Síochána or legal advisers where required by law.

## Retention

- Normally retained for **28 days**, after which footage is automatically overwritten, unless required to investigate or evidence a specific incident.
- The BoM reviews the necessity, location and scope of CCTV use at regular intervals.

## 8.7 Examination, Assessment and Results Data

The school retains:

- Class tests, standardised test results and other assessment data
- School reports and progress records.

## Purpose

- To monitor pupil progress
- To inform teaching, learning and differentiation
- To communicate with parents/guardians
- To provide information to post-primary schools and, where relevant, the Department of Education and other statutory bodies.

## 8.8 Visitor and Sign-In Logs

The school maintains:

- Visitor sign-in records (name, purpose of visit, time in/out)
- Contractor sign-in and, where required, vetting confirmation.

## Purpose

- Health, safety and child protection
- Fire safety and emergency procedures
- Site security.

## Retention



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- Typically retained for **one year**, unless required for longer due to an incident.

## 9. Links to Other Policies and Curriculum Delivery

This policy complements and informs, and is informed by, the following:

- Child Safeguarding Statement & Risk Assessment
- Child Protection Policy and Procedures
- Anti-Bullying Policy
- Code of Behaviour
- Enrolment/Admissions Policy
- SPHE, RSE and Stay Safe programmes
- ICT Acceptable Use Policy
- Attendance Policy
- Critical Incident Policy
- Assessment Policy
- Special Educational Needs Policy
- Book Rental Policy
- School Photography Policy
- School Website Privacy Statement.

All such policies are consistent with the principles and requirements of this Data Protection Policy.

## 10. Processing in Line with Data Subject Rights

The school processes personal data in line with the rights of data subjects under GDPR. Data subjects have the right to:

- Be informed about the collection and use of their data.
- Access a copy of their personal data held by the school.
- Have inaccurate data rectified.
- Request restriction of processing in certain circumstances.
- Object to certain types of processing (where applicable).
- Withdraw consent where processing is based solely on consent.
- Request erasure of data where no longer required or where legally permissible.
- Make a complaint to the **Data Protection Commission**.

Some of these rights are limited in the school context due to legal obligations, safeguarding requirements and the public interest in education. Each request will be assessed on a case-by-case basis.

## 11. Data Processors and Third-Party Service Providers



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Where the school outsources processing of personal data (e.g. to Aladdin, payroll services, cloud platforms), the BoM:

- Maintains a **Register of Data Processors**
- Ensures that a **Written Third Party Service Agreement** (Appendix 2) is in place, which:
  - Sets out the subject matter, duration, nature and purpose of processing
  - Requires the processor to implement appropriate security measures
  - Prohibits unauthorised sub-processing without approval
  - Requires prompt notification of data breaches
  - Requires data to be deleted or returned at end of the service
  - Permits audit or verification by the BoM, or its nominee.

Where data are transferred outside the EEA, appropriate safeguards (e.g. EU Standard Contractual Clauses) are put in place in line with GDPR requirements.

## 12. Data Security

The school takes appropriate technical and organisational measures to ensure personal data are kept safe and secure. These include:

- Physical security (locked offices, cabinets, alarms)
- Password protection and access controls on devices and systems
- Encryption of portable devices where personal data are stored
- Secure disposal of paper and electronic records
- Staff training and awareness on data protection and confidentiality
- Limited access on a “need to know” basis.

All staff are required to:

- Keep passwords confidential
- Log out or lock devices when leaving them unattended
- Avoid storing personal data on unencrypted personal devices
- Report any suspected data breach immediately to the Principal.

## 13. Personal Data Breaches

A **Personal Data Breach** is any incident that leads to unauthorised loss, alteration, disclosure or access to personal data.

- All suspected or actual breaches must be reported immediately to the Principal (and/or Chairperson of the BoM).
- The BoM maintains a **Data Breach Log**.
- The BoM will assess the risk to the rights and freedoms of individuals.



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Where the breach is likely to result in a risk to individuals' rights and freedoms:

- The breach will be notified to the **Data Protection Commission (DPC) within 72 hours** of becoming aware of it, where feasible.

Where the breach is likely to result in a **high risk** to individuals:

- The affected data subjects will also be informed **without undue delay**.

If a data processor becomes aware of a breach involving school data, they must inform the BoM **without undue delay**.

## 14. Dealing with Data Access Requests

Individuals (or parents/guardians on behalf of pupils) are entitled to a copy of their personal data held by the school, subject to limited exceptions.

- Requests should be made **in writing**, using the **Personal Data Request Form** (Appendix 4) or by clearly stating the nature of the request.
- Proof of identity is required.
- The school will respond **within one month** of receipt. In complex cases, this may be extended by a further two months; the requester will be informed if an extension is required.
- No fee will be charged, except in cases of manifestly unfounded or excessive requests.
- Data relating to other individuals will not be disclosed; such data will be redacted where necessary.
- Responses will be provided securely (e.g. encrypted email, registered post or in-person collection).

## 15. Providing Information by Telephone or Email

When dealing with telephone or email enquiries about personal data, staff must:

- Take care not to disclose personal data without being satisfied of the caller's identity and entitlement to the information.
- Where in doubt, request that the query be put in writing.
- Refer difficult or sensitive requests to the Principal.
- Never feel pressured into disclosing information.

## 16. Training and Awareness

- All staff are made aware of this policy and receive **regular refresher training** on data protection, confidentiality and related school procedures.
- New staff are inducted on data protection as part of their induction programme.



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## 17. Roles and Responsibilities

- **Board of Management** – Data Controller; responsible for overall compliance and policy approval.
- **Principal** – Responsible for implementation of the policy and day-to-day data protection practices.
- **All Staff** – Required to comply with this policy and follow data protection procedures.
- **Data Processors** – Must comply with the written third-party agreement and GDPR obligations.

## 18. Ratification, Monitoring and Review

- This policy was reviewed & ratified by the Board of Management.
- It is communicated to staff, parents and the wider school community via appropriate channels (e.g. school website, office copy).
- The implementation of this policy is monitored by the Principal and BoM.
- The policy will be formally **reviewed regularly**, or if:
  - There is a significant change in legislation or guidance, or
  - A serious incident or data breach suggests the need for review.

Signed: \_\_\_\_\_

**Chairperson, Board of Management**

Date: 08/12/25



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## APPENDIX 1

### DATA RETENTION PERIODS FOR SCHOOLS

<i>Pupil Related</i>	<i>Retention Periods</i>
School Register/Roll Books Enrolment Forms Disciplinary notes Test Results – Standardised Psychological Assessments etc. SEN Files/IEPS Accident Reports Child Protection Reports/Records S.29 Appeals	Indefinitely Hold until Pupil is 25 Years Never Destroy Hold until pupil is 25 Years Never Destroy Never Destroy Never Destroy Never Destroy Never Destroy
<i>Interview Records</i>	
Interview Board Marking Scheme Board of Management notes (for unsuccessful candidates)	18 months from close of competition plus 6 months in case Equality Tribunal needs to inform school that a claim is being taken
<i>Staff Records</i>	
Contract of Employment Teaching Council Registration Vetting Records Accident/Injury at work Reports	Retention for duration of employment + 7 years  (6 years to make a claim against the school plus 1 year for proceedings to be served on school)
<i>BoM Records</i>	
BOM Agenda and Minutes CC TV Recordings  Payroll & Taxation  Invoices/receipts  Audited Accounts	Indefinitely 28 days normally. In the event of criminal investigation – as long as is necessary Revenue require a 6-year period after the end of the tax year  Retain for 7 Years  Indefinitely
<p><b><i>Why, in certain circumstances, does the Data Protection Commission recommend the holding of records until the former pupil has attained 25 years of age?</i></b></p> <p><i>The reasoning is that a pupil reaches the age of majority at 18 years and that there should be a 6-year limitation period in which it would be possible to take a claim against a school, plus 1 year for proceedings to be served on a school. The Statute of Limitations imposes a limit on a right of action so that after a prescribed period any action can be time barred.</i></p>	



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## APPENDIX 2

### WRITTEN THIRD PARTY SERVICE AGREEMENT

In accordance with the Data Protection Acts 1988 to 2018 and the General Data Protection Regulation (GDPR), the BoM of Midleton CBS Primary School requires this written third party service agreement to be in place with all our data processors

The GDPR requires that the BoM shall use only processors providing sufficient guarantees to implement appropriate technical and organisational measures in such a manner that the processing will meet the requirements of GDPR and thus ensure the protection of the rights of the data subject

The BoM of Midleton CBS Primary School as data controller imposes the following minimum obligations on you as data processor:

1. To act only on the documented instructions of the data controller i.e. the BoM of Midleton CBS Primary School with regard to the subject-matter, the types of personal data processed, the documented purposes of the processing and the duration of the processing
2. To comply with the obligations imposed on data controllers by the Data Protection Acts 1988 to 2018 and the GDPR in order to ensure that appropriate steps are taken to ensure the confidentiality of the personal data being processed and to guard against the accidental destruction, damage or loss of personal data
3. To provide sufficient guarantees in respect of technical security measures and organisational measures governing the processing of the school's data
4. To provide an indemnity to the school Board of Management (BoM) for any breaches of the above legal conditions
5. To commit to the provision of assistance where appropriate to enable the school Board to comply with a data subject access request
6. To immediately contact the school principal, Mary Cunningham, C/O Midleton CBS Primary School, Rosary Place, Midleton, Co Cork where there are any data security breaches in the data processor's company in order to facilitate the school BoM, as data controller, to take the required action in accordance with the GDPR regarding the data breach
7. To comply with the requirements of the Data Protection Policy of Midleton CBS Primary School attached hereto (include digital link or hard copy)
8. On termination of the contract between the data processor and the BoM of Midleton CBS Primary School, all personal data held by the data processor must be returned to the Board as data controller or in the alternative, it must be entirely deleted from the data processor's systems and files
9. To make available to the controller (BoM) all information necessary to demonstrate compliance with the obligations of the GDPR and to allow for and contribute to audits, including inspections, conducted by the controller or another auditor mandated by the controller
10. If the processor believes that any instruction it receives from the controller is in breach of the GDPR, the processor shall immediately inform the controller

*(This agreement should be signed by the Data Processor and the BoM of the school and copies retained by both)*

Midleton CBS Primary School or by email to [principal@midletoncbsprimary.ie](mailto:principal@midletoncbsprimary.ie)



## **APPENDIX 3**

# **THE 8 RULES OF DATA PROTECTION**

- 1. Obtain and process information fairly**
- 2. Keep it only for one or more specified, explicit and lawful purposes**
- 3. Use and disclose it only in ways compatible with these purposes**
- 4. Keep it safe and secure**
- 5. Keep it accurate, complete and up-to-date**
- 6. Ensure that it is adequate, relevant and not excessive**
- 7. Retain it for no longer than is necessary for the purpose or purposes**
- 8. Give a copy of his/her personal data to that individual on request**



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## APPENDIX 4

### MIDDLETON CBS PRIMARY SCHOOL

### PERSONAL DATA REQUEST FORM

Request for a copy of Personal Data under the Data Protection Acts 1988 to 2018

**Important:** Proof of Identity must accompany this Access Request Form (eg. official/State photographic identity document such as driver's licence, passport).

Full Name:	
Maiden Name (if name used during your school duration)	
Address:	
Contact number *	Email addresses *

\* We may need to contact you to discuss your access request

Please tick the box which applies to you:

Parent/ Guardian of current Pupil <input type="checkbox"/>	Former Pupil <input type="checkbox"/>	Current Staff Member <input type="checkbox"/>	Former Staff Member: <input type="checkbox"/>
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Name of Pupil:	Date of Birth of Pupil:
Insert Year of leaving:	Insert            Years From/To:



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## DATA ACCESS REQUEST:

I, ..... [name] wish to make an Access Request for a copy of personal data that *Middleton CBS Primary School* holds about me/my child. I am making this access request under Data Protection Acts 2013 to 2018

To help us to locate your personal data, please provide details below, which will assist us to meet your requirements e.g. description of the category of data you seek

Any other information relevant to your access request (e.g. if requesting images/recordings made by CCTV, please state the date, time and location of the images/recordings as otherwise it may be very difficult or impossible for the school/ETB to locate the data)

This **Access Request** must be accompanied with a copy of photographic identification e.g., passport or drivers licence. I declare that all the details I have given in this form are true and complete to the best of my knowledge.

Signature of Applicant ..... Date: .....

Please return this form to the relevant address:

**To the Chairperson of Board of Management, Middleton CBS Primary School, Rosary Place, Middleton, Co Cork**



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