

Dated the 12th of December 2019

MEMORANDUM OF UNDERSTANDING

between

(1) ESB NETWORKS D.A.C.

and

(2) THE CENTRAL STATISTICS OFFICE

THIS MEMORANDUM OF UNDERSTANDING

BETWEEN:

- (1) **ESB NETWORKS D.A.C.**, a company registered in Ireland (company registration number 465172 having its registered office at Clanwilliam House, Clanwilliam Place, Dublin 2, Ireland (hereinafter referred to as "ESBN"); and
- (2) **THE CENTRAL STATISTICS OFFICE**, an office established pursuant to Section 8 of the Statistics Act, 1993, whose principal office is at Skehard Road, Cork T12 X00E ("the CSO");

1. Definitions and Interpretation

1.1 In this Memorandum of Understanding, the following terms shall have the following meanings:

"Act" means the Statistics Act, 1993 as may be amended from time to time;

"MoU" means this Memorandum of Understanding and the terms and conditions therein, including the Appendices;

"GDPR" means the General Data Protection Regulation (Regulation 2016/679/EU);

"Commissioner" means the Data Protection Commissioner;

"Data" means data relating to electricity connections completed by ESBN, being the data sets identified in Appendices 1 and 2;

"Data Controller" has the meaning given to "data controller" in the Data Protection Acts 1988, 2003, and 2018 and "controller" in the GDPR;

"Data Processor" has the meaning given to "data processor" in the Data Protection Acts 1988, 2003, and 2018 and "processor" in the GDPR;

"DPA" means the Data Protection Acts 1988, 2003, and 2018;

"Data Protection Laws" means the DPA, the GDPR, any primary or secondary legislation enacted by the government of Ireland pursuant to the GDPR and any other statute, statutory instrument, rule, order, directive regulation, of any competent national or supra national authority relating to the protection of personal data or the privacy of individuals as may be enacted from time to time;

"Law" means the laws of Ireland and includes any laws of the European Union having direct effect in Ireland;

"MPRN" means a Meter Point Reference Number, and is a unique eleven-digit number assigned to each electricity connection and meter in the Republic of Ireland;

"Personal Data" has the meaning assigned to that term in the Data Protection Laws;

"Processing" has the meaning given to it in the Data Protection Laws and "process", "processes", and "processed" shall be construed accordingly;

"Protocol" means the Data Protection Protocol agreed between the CSO and ESNB, a copy of which is attached at Appendix 3 hereto;

"Purpose" means the collection, production, development, and improvement of energy-related and other statistics for Ireland (being a purpose within the functions of the CSO under the Act);

"Request" means a request made in writing pursuant to Section 24 of the Act and in accordance with the Protocol by the CSO.

1.2 When used in this MoU:

- (a) the terms and expressions set out in the Appendices shall have the meanings ascribed therein;
- (b) the masculine includes the feminine and the neuter; and
- (c) the singular includes the plural and vice versa.

1.3 A reference to any statute, enactment, order, regulation, or other similar instrument shall be construed as a reference to the statute, enactment, order, regulation or instrument as amended by any subsequent statute, enactment, order, regulation, or instrument or as contained in any subsequent re-enactment thereof.

1.4 The index and headings are included in this MoU for ease of reference only and shall not affect the interpretation or construction of this MoU.

1.5 References to Clauses and the Appendices are, unless otherwise provided, references to clauses of and the appendices to this MoU.

2 INTRODUCTION

2.1 The objective of this MoU is to set out areas of mutual responsibility and shared interest between the Central Statistics Office (CSO) and ESB Networks D.A.C. (ESNB) in the use of administrative data for statistical purposes in accordance with Section 24 of the Act.

2.2 The CSO has requested ESNB to provide certain information relating to electricity consumption (the Data) to it on an ongoing basis, in accordance with the Act. The Data requested comprises data at the level necessary for the CSO to collect, compile and improve data and statistics on energy consumption as well as being an input into other statistical exercises such as quality checking the recording of dwellings in the Census of Population fieldwork.

2.3 The CSO shall ensure that all Data requested from ESNB by way of a formal notice under section 24 of the Act is necessary and proportionate, having regard to the statistical outputs which need to be produced.

2.4 ESNB acknowledges the requirement of the CSO to continue to receive Data requested by way of a notice under section 24 of the Act and undertakes to provide the Data at the required frequency. A list of files, with delivery frequency, reason required, file format, and transmission method shall be maintained by both Offices and is included in Appendix 1 and Appendix 2. During the lifetime of this Memorandum of Understanding, ESNB and the CSO agree that this list of data files shall be periodically reviewed and amendments thereto shall be made with the consent of both parties.

2.5 Access to the Data supplied by ESNB will be restricted to CSO personnel involved in the production of the relevant statistics. Data files provided by ESNB to the CSO will be deleted by the CSO when they are no longer needed for statistical production.

3 MANDATE AND MISSION

3.1 The CSO is an independent Office and the Director General of the CSO has sole responsibility in relation to professional statistical matters.

3.2 The CSO's Mission is to provide high quality information, both for evidence-based decision-making and to support accountability.

3.3 The CSO's mandate is built on the Act and on EU Regulation 223/2009 and allows for:

- The collection, compilation, extraction and dissemination for statistical purposes of information relating to economic, social, and general activities and conditions in the State; and
- The coordination of official statistics compiled by public authorities.

4 LEGAL OBLIGATIONS

4.1 All data provided to the CSO under this Memorandum of Understanding shall be treated as strictly confidential, and will be used solely for statistical purposes and in line with this Memorandum of Understanding.

4.2 The data will not be used for any other purpose. Transfer and processing of data shall be done only in accordance with the Act¹; the Data Protection Laws; EU statistical law² and in accordance with the CSO's Code of Practice on Statistical Confidentiality³.

4.3 In particular, the parties recognise that they are bound to carry out the transfer and processing of data in accordance with Sections 32 and 33 of the Statistics Act, 1993 concerning protection of information.

¹ <http://www.cso.ie/en/media/cso/census/documents/statsact93.pdf>

² <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32009R0223>

³ <http://www.cso.ie/en/aboutus/lgdp/csodatapolicies/statisticalconfidentiality/>

- 4.4 Any data produced by the CSO from ESNB administrative data will be published in an aggregated form which does not identify, or permit the identification of, any individuals or businesses. Confidential data will not be disclosed to any other party.
- 4.5 Data will be retained and processed by the CSO in accordance with the requirements of the Act and the Data Protection Laws.

5 SECURITY

- 5.1 The CSO confirms and agrees that the information required to be provided by ESNB under the Act for the Purpose is limited to the Data.
- 5.2 The CSO acknowledges that it requires the Data for its own purposes and therefore that it is the Data Controller in respect of all Data received by it pursuant to a Request.
- 5.3 The Data will be managed in line with the CSO's obligation under the Act and the Data Protection Laws and in the light of operational experience to ensure (among other things) that:
- a) Appropriate security arrangements are in place and regularly reviewed;
 - b) Retention and deletion policy are regularly reviewed; and
 - c) Data will be suitably destroyed when no longer needed.
- 5.4 Upon receipt of a Request, ESNB shall provide the Data to the CSO in accordance with the Appendices. The Data is provided "as is". Without prejudice to ESNB's obligations under the Data Protection Laws, ESNB shall not be obliged to verify, and makes no warranties, representations or undertakings whatsoever (express or implied) in respect of the accuracy, completeness or currency of the Data, or any information which ESNB may be required to provide pursuant to the Act. The CSO shall not be entitled to assume that the Data is accurate, complete or up-to-date at any time.
- 5.5 ESNB shall provide the Data using secure channels and in accordance with its highest security standards as set out in Appendix 2. The CSO confirms that it is capable of receiving the Data in such format and will apply rigorous information security standards in respect of the manner in which it receives, stores, and processes the Data.

6 USE OF DATA OR INFORMATION UNDER THE ACT

As part of its work in the compilation of Official Statistics, the CSO carries out data matching or linking activities, involving two or more data sets where at least one comprises data sourced from a 3rd party. These matching activities are subject to a strict data governance Protocol, which is published on the CSO's website and is designed to protect the confidentiality of all data subjects, in accordance with law. All linking of the Data with other sources, whether CSO or non-CSO, shall be done in accordance with this Protocol, and published on the CSO's Data Matching Register, which is accessible on its website.

- 6.1 The CSO agrees that any Data disclosed or provided by ESNB shall be requested in accordance with the Act and be used by it solely for the Purpose, and further agrees that ESNB shall have no responsibility in respect of the CSO's use of the Data.

- 6.2 Other than for purposes of carrying out its statutory functions (and then, only to the extent strictly necessary), the CSO agrees that it shall not modify any Data disclosed or provided to it by ESNB.
- 6.3 Save as required during data processing and analysis or for the performance of its functions under the Act, the CSO agrees that it will not copy any Data disclosed or provided to it by ESNB, and that it will destroy Data and copies of same once possession is no longer necessary for the Purpose.
- 6.4 Should the ESNB be required pursuant to the Act to disclose or provide any information in addition to the Data, in connection with the Purpose, this MoU shall apply equally to such other information.

7 PROCEDURE FOR DATA LOSS/BREACH

- 7.1 In the event of a breach of information which has been supplied by the ESNB, the CSO will refer to their own data breach procedures and report the breach to the Data Protection Commission as appropriate. The CSO will use reasonable endeavours to ensure that ESNB will not be held liable for any loss, damage, or injury caused as a result of such data breach.
- 7.2 The CSO will indemnify, and keep indemnified, ESNB against all actions, claims, liabilities, direct damages, cost, charges, and expenses which it may incur or suffer (whether through third party action or otherwise) arising out of or in connection with any breach by the CSO of any of the terms of this Memorandum of Understanding. For the avoidance of doubt, the indemnity the CSO provides under this clause shall only apply to those actions, claims, liabilities, direct damages, costs, charges, and expenses which directly arise from a breach of this Memorandum of Understanding.

8 COMMUNICATION

- 8.1 The CSO shall appoint a Liaison Officer as the main point of contact with ESNB, with responsibility for the management and use of ESNB Data by the CSO. ESNB shall likewise appoint a Liaison Officer with the CSO.
- 8.2 It shall be the responsibility of the Liaison Officers to consider all administrative data matters and related issues of mutual interest.
- 8.3 Any proposed changes to the data collected by the ESNB shall be communicated to the CSO in a timely fashion.

9 GENERAL

- 9.1 This MoU will come into force on the date of signing and may be reviewed at any time, at the request of either party. Any changes to the Memorandum of Understanding shall be effected only with the mutual agreement of ESNB and the CSO.

9.2 It is understood that this MoU is not intended to, and does not, obligate the Parties to enter into or create any MoU, partnership or agency relationship or to proceed with any possible relationship or other transaction.

9.3 Should any provision of this MoU be declared by any judicial or other competent authority to be void, voidable, illegal, or otherwise unenforceable or indications of the same are received by either of the Parties from any relevant authority, the Parties shall amend that provision in such reasonable manner as achieves the intention of the Parties without illegality or that provision may be severed from this MoU and the remaining provisions shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this MoU on the date first set forth above.

**SIGNED, for and on behalf of
ESB NETWORKS D.A.C. by**



23/1/20

Pat Eccles,
Manager, Systems & Sustainability

**SIGNED, for and on behalf of
THE CENTRAL STATISTICS
OFFICE by**



Gerry Brady
Senior Statistician
Environment and Climate Division

Appendix 1

Data to be sent to CSO

1. MPRN (Meter Point Reference Number)

- This is the Unique Identifier for each Service delivery point.
- Providing the MPRN to the CSO will allow the CSO to compile statistics on the trends in electricity consumption at dwelling level, e.g. median consumption.
- The MPRN can be used to cross-reference with other databases held by CSO to verify the quality of the data.
- Quarterly data should be provided to the CSO for all metered connections (there were around 2.4 million meters in 2019).

2. Customer name and address

- The customer name will be provided for non-domestic customers to enable the CSO to classify customers by NACE sector.
- Gives the location of the property.
- This will allow the CSO to compile statistical outputs by more detailed geography such as county and Dublin postal district.
- The Address can be used to cross-reference with other databases held by the CSO to verify the quality of the data and to assist in the conduct of CSO surveys.

3. Generic Longitude and Latitude

- Provides actual/approximation of property on maps.
- This will allow the CSO to use the data in conjunction with other sources such as Geodirectory to derive data points.
- It will assist with geocoding data where there is no Eircode available.

4. DUoS Group

- DUoS Group is a code which denotes the distribution use of system tariff applying to the MPRN.
- This will allow the CSO to determine if a meter point is an urban or rural site, enabling classification of statistics into urban and rural.
- The customer type should be identified by code e.g. domestic is DG1 and DG2.

5. Eircode File

- A file of all Eircodes that are available and the associated MPRN shall be provided to the CSO. This may be provided as a separate file or integrated with one of the other files.
- The Eircode can be used to cross-reference with other databases held by CSO to verify the quality of the data and to gain a fuller understanding of household energy consumption.

6. Hardship meters

- The MPRN of hardship meters along with an installation date.
- Energy poverty is an important policy area and the CSO will use the hardship meter as a possible indicator of energy poverty.

7. Quarterly electricity consumption

- This will be provided for each meter starting with January to March 2015 or an earlier quarter if available.
- Each quarter should be provided in a separate file if this is regarded as the most efficient method of providing the data.
- The consumption data will be used in the compilation of statistics and as an input into the fieldwork for CSO surveys.

8. Consumption type

- Day, Night, or 24 hours.

Appendix 2

Data & Transfer

Data

The Data to be transferred to the CSO, and the explanation of the requirement for each data set, is set out in Appendix 1 and will be extracted from ESNB systems.

Requests

A Request for data sets pursuant to this MoU shall comply with the following requirements:

- It shall be signed by an authorised officer of the CSO and sent to Manager, Systems & Sustainability, ESNB Networks DAC, Clanwilliam House, Clanwilliam Court, Clanwilliam Pl, Grand Canal Dock, Dublin D02 CV61 or such other address as ESNB may notify to the CSO in writing from time to time.
- It shall specify the legislative basis for the request.
- It shall specify the data sets required (which shall be limited to the data sets specified in Appendix 1) and the period for which the Data is to be furnished.

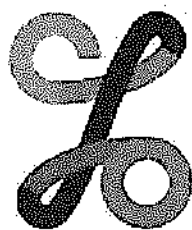
Frequency

The quarterly electricity consumption data should be provided to CSO on an annual basis.

ESNB shall not be required to furnish Data more than once in respect of any period.

Data Transfer

The Data transfer from ESNB to the CSO will be via an encrypted file using File Transfer Protocol. The method of transfer will be updated if a more secure method becomes available.

Appendix 3
23/1/20**An
Phríomh-Oifig
Staidrimh****Central
Statistics
Office**

Information for Data Providers

Official Statistics and Data Protection Legislation

1. Role of Official Statistics

The mandate and role of official statistics is defined in the UN Fundamental Principles of Official Statistics and in the European Statistics Code of Practice. Both the UN Principles and the European Code identify the role of official statistics in a modern democracy as an impartial and accurate source of the information needed for decision-making.

The UN Principles and the European Code both recognise that the following are essential for the compilation of official statistics:

- Professional independence and impartiality of statistical authorities
- The right of statistical authorities to collect information in surveys and censuses
- The right of statistical authorities to use administrative records for the purpose of compiling statistics
- The obligation to respect statistical confidentiality – identifiable information may not be disclosed and the information may only be used for the compilation of statistics
- Respect for data providers – wherever possible, the burden on data providers should be kept to a reasonable minimum by utilising and linking existing data sources.

Statistical results are published in aggregate form and enable governments and citizens to make informed choices.

2. Mandate and statutory functions of the Central Statistics Office

Mandate and functions

The Central Statistics Office (CSO) is established by Section 8(1) of the Statistics Act, 1993. Section 10(1) of the Act specifies the functions of the CSO as follows:

"The functions of the Office shall be the collection, compilation, extraction and dissemination for statistical purposes of information relating to economic, social and general activities and conditions in the State."

Statistical purposes

In exercising its functions, the CSO obtains information from a wide range of sources. Under the Statistics Act, the CSO's mandate and the restrictions on use of information (Sections 10(1) and 32 of the Act) make it clear that the information collected by the CSO is used solely for statistical purposes. It may not be used for any other purpose.

Statistical work programme

The CSO publishes a Statistical Work Programme on its website, which contains the list of statistical outputs and projects conducted by the Office. This gives practical meaning to the functions described in Section 10(1):

Independence

The Director General of the CSO has sole responsibility for and is independent in relation to the statistical methodology and professional statistical standards applied by the CSO, and the contents of statistical releases and publications, under Section 13 of the Act.

Confidentiality and use of information for statistical purposes

Information obtained under the Statistics Act is strictly confidential, under Section 33 of the Statistics Act, 1993. It may only be accessed by Officers of Statistics, who are required to sign a Declaration of Secrecy under Section 21.

The CSO only publishes aggregate statistical data; statistical tables and results may not, and do not, disclose details relating to any identifiable person or business.

The full suite of legal protections accorded to data providers is set out in Part V of the Statistics Act, 1993.

Co-ordination

Under Section 10(2) of the Statistics Act, 1993 the CSO has the authority to co-ordinate official statistics compiled by public authorities to ensure, in particular, adherence to statistical standards and the use of appropriate classifications. Under Section 10(3) the CSO has the authority to assess the statistical potential of the records maintained by public authorities and, in conjunction with them, to ensure that the statistical potential is realised.

Under Section 31 of the Act, the Director General of the CSO may request any public authority to consult and co-operate with him for the purpose of assessing the potential of the records of the authority as a source of statistical information and, where appropriate and practicable, developing its recording methods and systems for statistical purposes. Public authorities must

comply with such a request and must also consult the CSO if they propose to introduce, revise or extend their information systems or plan to conduct a statistical survey.

3. Legal mandate to collect data

The CSO collects data under Sections 24, 26 and 30 of the Statistics Act, 1993:

- Section 24 relates to voluntary surveys or censuses.
- Section 26 relates to compulsory surveys or censuses (i.e. where a Ministerial Order made under Section 25 specifies that the statistics must be provided to the CSO).
- Section 30 enables the CSO to have access to the records of public authorities for statistical purposes.

Traditionally, most of the statistics compiled by the CSO have been based on surveys and censuses – i.e. on information collected under Sections 24 and 26 of the Statistics Act. However, the CSO is making increasing use of administrative records to reduce costs, to reduce the imposition of surveys on data providers, and to produce new statistical analysis and outputs.

This increasing use of administrative sources for statistical purposes is founded on the powers of access under Section 30 of the Statistics Act and the provisions for co-ordination in Sections 10(2), 10(3) and 31.

The shift from survey collection to greater use of existing data sources is not unique to Ireland. This is reflected in EU legislation on official statistics: In 2015, the basic EU regulation on European Statistics was amended to enable greater access to administrative data sources for statistical purposes (Article 17a of Regulation 223/2009 as amended by Regulation 2015/759).

Worldwide, official statisticians are making increasing use of administrative data and "big data". In some EU Member States (e.g. the Nordic countries, the Netherlands) the national statistical system relies almost exclusively on administrative data sources. In these states, data protection law derives from the same EU data protection requirements, i.e. the General Data Protection Regulation (GDPR).

The principles relating to the processing of personal data in the GDPR recognise the secondary use of data for statistical purposes:

Article 5.1.b. : "further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with Article 89(1), not be considered to be incompatible with the initial purposes ('purpose limitation')."

Section 6 of this note gives further details of the safeguards applied by the CSO in relation to all data collected for statistical processing, including data from administrative sources.

Statistical results are aggregates: tables of statistics do not disclose identifiable information about any individual and they cannot be used "in support of measures or decisions regarding any particular individual".

4. Statistics and the GDPR

Data protection law places an emphasis on lawful processing and appropriate security. These requirements apply equally to statistical processing of personal data.

The use of information for statistical purposes only, as required by Section 32 of the Statistics Act, reflects the *collected for specified explicit and legitimate purposes* requirement of the GDPR. The information is only used for the purpose for which it was obtained, i.e. the processing of statistics.

The GDPR recognises the special position of National Statistical Authorities. Recital 163 states:

"The confidential information which the Union and national statistical authorities collect for the production of official European and official national statistics should be protected. European statistics should be developed, produced and disseminated in accordance with the statistical principles as set out in Article 338(2) TFEU, while national statistics should also comply with Member State law. Regulation (EC) No 223/2009 of the European Parliament and of the Council (2) provides further specifications on statistical confidentiality for European statistics."

The CSO adheres fully to this code of confidentiality:

Under the GDPR (Article 5) data must be processed

- Lawfully, fairly and in a transparent manner.
- Collected for specified explicit and legitimate purposes.
- Adequate relevant and limited to what is necessary.
- Accurate, and where necessary kept up to date.
- Kept in a form that permits identification of data subjects for no longer than necessary.
- Processed in a manner that ensures appropriate security of the personal data.

The GDPR recognises the use of data for statistical purposes where appropriate safeguards are in place and includes the following specific provisions relating to statistics:

- It allows the further processing and retention of data for statistical purposes, where the data was originally obtained for another purpose. This applies, for example, to the use of administrative data to compile official statistics. Article 5(1)(b) of the GDPR.
- It allows special categories of personal data to be processed for statistical purposes under Article 9(2)(j) of the GDPR.
- It provides an exemption, in respect of statistical processing, from the obligation to inform the data subject about the use of the data obtained indirectly from other sources (where providing the information would be impossible or involve disproportionate effort or where there is an EU or member state law obligation for the controller to obtain/disclose the information); Articles 14(5) (b) and 14(5) (c) of the GDPR.
- The right of erasure under section 17 does not apply (Article 17.3.d) where the data is collected for statistical purposes in accordance with Article 89(1) if this would be likely to

render impossible or seriously impair the achievement of the objectives of that processing.

- The data subject's right of access (Article 15), rectification (Article 16), restriction of processing (Article 18) or right to object (Article 21) does not apply in certain circumstances where the data are kept for statistical purposes in accordance with section 89(1) and Section 58(2) of the Data Protection Act 2018 (see Section 6 below for safeguards).

5. How the CSO upholds the principles of Data Protection

At the heart of data protection is the protection of fundamental rights and freedoms of data subjects – i.e. rights of individual persons. In every step of processing data for statistical purposes, the CSO aims to uphold these rights.

In particular, this means the following:

- **Lawfully, fairly and in a transparent manner:** All information obtained under the Statistics Act will be used for statistical purposes only. It will not be used for any other purpose. Guaranteed by law under Section 10(1) and Section 32 of the Statistics Act, 1993.
- **Collected for specified explicit and legitimate purposes:** All data collected is for the sole purpose to meet the EU and National statistical requirements.
- **Confidentiality:** All information obtained for statistical purposes is treated as strictly confidential and may only be accessed by Officers of Statistics. Statistical results may not disclose details of any identifiable person or business. Guaranteed by law under Section 33 of the Statistics Act, 1993.
- **Transparency:** On the CSO website, we provide information about the statistics we produce, the statistical sources and methods used by the CSO, and how we use administrative data sources:
 - CSO publishes and regularly updates its Statistical Work Programme which contains the list of statistical outputs and projects conducted by the Office.
 - CSO will continue to implement the Data Matching Protocol and publish on its website a Register of Data Matching Projects.
 - CSO's General Data Protection Transparency Notice outlines our commitment to the GDPR.
 - Detailed metadata is available on all our statistical products. These are, in effect, transparency notices. In addition there is full background information available. See link to webpage: <http://www.cso.ie/en/methods/>
- **Necessity and proportionality:** The CSO must produce a wide range of statistics while minimising the burden on citizens of completing surveys and the cost to the taxpayer. Our aim is to ensure that the data obtained by CSO is necessary and proportionate, having regard to the statistical aggregates which need to be produced. To this end we ensure:
 - Continuous engagement with public authorities under Sections 31 and 30 of the Statistics Act.

- Formal assessment processes in relation to necessity and proportionality for each source of personal data used in the production of statistics.
- Privacy risk assessment for each stage of statistical collection and processing of personal data, using the UN Generic Statistical Business Process Model (GSBPM) as a standard template.
- Implementation of data lifecycle: Information will be deleted when no longer needed for statistical production.
- Continuous review of the data sources used for statistics, to reduce the burden of surveys and censuses and to identify potential to re-use existing data sources. This includes the continuous review of the potential of administrative data sources to meet new needs for statistics or to produce estimates more efficiently. It also includes the use of Big Data for the same purposes. The CSO is committed to complying with the Statistics Act 1993, GDPR and Data Protection Act 2018 in its use for statistical purposes of these data sources.
- **Safeguards:** The CSO implements a comprehensive set of safeguards to ensure the security and good governance of the data entrusted to the CSO, as set out in Section 6 below.

6. Safeguards in place to protect data collected by the CSO

Confidentiality is a core value of the CSO. The Office places a very high value on its obligation to respect statistical confidentiality and has put an extensive system of safeguards in place to protect the data which the Office receives.

Legal: All information obtained by the CSO under the Statistics Act is strictly confidential and may only be used for statistical purposes. This is specified in Sections 32 and 33 of the Act; any breach of those sections is an offence subject to significant penalties.

Personnel: All staff of the CSO are Officers of Statistics under the Statistics Act 1993 and have signed a Declaration of Secrecy under the Act. The data provided to the CSO may only be processed by Officers of Statistics and only for statistical purposes. All staff must attend regular training on statistical confidentiality and data security, including mandatory refresher courses.

Governance: The CSO's governance structure for data protection comprises: the Confidentiality and Data Security Committee (CDSC) which reports to the Management Board; the Data Protection Officer at Assistant-Director level who oversees compliance with statistical confidentiality and data protection requirements; and the Data Office which provides support in relation to policies, awareness, training and compliance.

Data Office: The CSO's Data Office has the pivotal role of managing policies in relation to data protection and statistical confidentiality, promoting awareness, providing training, and assuring compliance. The Data Office provides advice to CSO statistical areas on all issues related to data protection and statistical confidentiality.

Policies: The CSO has a comprehensive suite of policies in relation to roles, responsibilities and corporate rules in relation to statistical confidentiality, data security and

data protection. These policies are consolidated into a single Data Management Policy, which is a central reference point for all statistical processing.

Data Classification Scheme: This is a corporate confidentiality classification system that allocates a confidentiality level (A to D) to all data held by the CSO. Detailed management rules and procedures are assigned depending on the level given. Statistical micro-data has the highest level of security (A) and the strictest rules and procedures with regard to processing of the data.

Access to statistical data: All access to statistical data is restricted and limited to relevant staff that have a legitimate business reason for that access. This access is monitored on an ongoing basis.

Access limitations: Staff access to CSO buildings is controlled electronically. Visitors to the CSO must be signed in and accompanied at all times.

IT Security: Staff access to IT systems is password-controlled. Staff only have access to the data or systems relevant to their work and these access rights are regularly reviewed. The IT systems and hardware are thoroughly protected by firewall and anti-virus security. No external access is allowed.

Tables and publications: The CSO implements thorough Statistical Disclosure Control procedures to ensure that the tables and reports it publishes do not identify any individual or business.

Administrative Data Centre: All administrative data received by the CSO is transmitted via a secure IT link to the CSO's Administrative Data Centre (ADC). In the ADC, identifying details such as name, address, date of birth, PPSN are removed before the data is used for statistical analysis. The statisticians processing the data work with anonymous data and do not see the person's identity.

Data Lifecycle: When survey forms or other data records are no longer required for statistical purposes, they are securely destroyed. The only identifiable records retained by the CSO are Census of Population forms – under Section 35 of the Statistics Act, these become public records after 100 years. All other forms are securely destroyed.

Data Linkage: All statistical projects that involve linkage between administrative data sources are subject to the CSO's Data Linkage Policy and must meet a Privacy Impact Assessment. The CSO publishes a register of all projects in which it links administrative data.

Formal Assessment Processes: The CSO undertakes a Data Necessity and Proportionality Assessment for each source of personal data used in the production of statistics. In addition, the CSO undertakes a Privacy Risk Assessment for each stage of statistical collection and processing of personal data, using the UN GSBPM as a standard template. The aim of these two assessment processes is to identify risks at each stage and

make sure that confidentiality and data protection are respected and well-managed at every stage of collecting and producing statistics.

7. Further information or assistance

For further information or assistance on matters relating to *Official Statistics and Data Protection Legislation* within the CSO contact:

Data Office, Central Statistics Office, Skehard Road, Cork, T12 X00E. Tel +353 (21) 453 5386

Contact:

Central Statistics Office
Skehard Road, Cork T12 X00E, Ireland

Tel: (+353) 21 453 5000

E-Mail: information@cso.ie