



An
Phríomh-Oifig
Staidrimh

Central
Statistics
Office



AGRICULTURE AND FOOD DEVELOPMENT AUTHORITY

**Memorandum of Understanding between the Central Statistics Office and Teagasc
in relation to the National Farm Survey and other statistical co-operation**

1. COMMENCEMENT

This Memorandum of Understanding (MoU) will come into effect on the date of signing and may be reviewed at any time at the request of either party. This MoU replaces the previous MoU of 2017 between the Central Statistics Office (CSO) and Teagasc, concerning statistical co-operation in relation to the National Farm Survey. Any changes to this MoU shall be effected only with the mutual agreement in writing of the CSO and Teagasc.

2. THE ROLE OF THE PARTIES

Central Statistics Office (CSO)

- The Central Statistics Office was first established in 1949 and was subsequently established on a Statutory Basis in 1994, pursuant to the Statistics Act, 1993.
- The functions of the Office are the collection, compilation, extraction and dissemination for statistical purposes of information relating to economic, social and general activities and conditions in the State.
- The Office 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.
- The Office has the authority to assess the statistical potential of the records maintained by public authorities and, in conjunction with them, to ensure that this potential is realised in so far as resources permit.

These functions are as detailed in Section 10 of the Statistics Act, 1993.

Teagasc

- Teagasc - the Agriculture and Food Development Authority – is the national body providing integrated research, advisory and training services to the agriculture and food industry and rural communities. Teagasc was established under the Agriculture (Research, Training and Advice) Act 1988.
- Teagasc is designated as Ireland's Farm Accountancy Data Network (FADN) Liaison Agency pursuant to Council Regulation (EC) No. 1217/2009 which sets up a network for the collection of accountancy data on the incomes and business operations of agricultural holdings in the European Community.

3. BACKGROUND AND CONTEXT

This memorandum of understanding sets out the arrangements agreed between the Central Statistics Office and Teagasc in relation to co-operation on statistical matters including Teagasc's National Farm Survey.

The MoU aims to clarify the roles and responsibilities of, as well as the areas of cooperation between, CSO and Teagasc with regard to the transmission and use of data from the CSO's Farm Register for the purpose of the National Farm Survey. The data provided under this agreement will allow Teagasc to collect data for the National Farm Survey. Results from the National Farm Survey also contribute to enhanced statistical outputs by the CSO.

This agreement sets out specific arrangements and procedures relating to the transmission of data from the CSO to Teagasc for the purposes of sample selection, weighting and related matters to facilitate the implementation of the National Farm Survey by Teagasc.

Other statistical co-operation projects, including surveys of certain farm types or categories of farming (e.g. small farms, organic farming) may be organised by mutual agreement pursuant to this memorandum. There is no presumption that any new project would be facilitated under this agreement. All such statistical co-operation projects will be subject to written confirmation by CSO and Teagasc of the scope of the statistical co-operation and the arrangements to be put in place for the project.

This agreement is an MoU and is not intended to create binding or contractual mutual obligations on either Party. The MoU is entered into on the understanding that it is subordinate to the relevant legislation governing the CSO and Teagasc respectively.

This MoU also sets out a shared understanding of the parties in relation to data protection issues that may arise, and roles relating to the transfer and use of data. The processing of any personal data by the CSO and Teagasc for statistical purposes pursuant to this agreement is governed by the Statistics Act, 1993 and the Data Protection Acts 1988-2018 and the General Data Protection Regulation (No. 2016/679).

4. NATIONAL FARM SURVEY

The National Farm Survey (NFS) has been conducted by Teagasc (and by its predecessor organisation An Foras Talúntais) on an annual basis since 1972. The survey is operated as part of the Farm Accountancy Data Network of the EU and fulfils Ireland's statutory obligation to provide data on farm output, costs and income to the European Commission.

Teagasc is designated as Ireland's FADN Liaison Agency pursuant to Council Regulation (EC) No. 1217/2009¹ which sets up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Community.

Annually the CSO will provide Teagasc with a random, nationally representative sample, of generally between 1,000 and 1,200 farms for the National Farm Survey. Each farm will also be assigned a weighting factor so that the results of the survey are representative of the national population of farms.

Teagasc shall specify the number of farms it requires for the NFS by farm type and size class. CSO will provide Teagasc with a list of farms, meeting the Teagasc criteria, selected from the CSO register of farms which has been compiled and updated from information from previous Censuses of Agriculture (COA), Farm Structure Surveys (FSS) and with administrative data from the Department of Agriculture, Food and the Marine (DAFM).

A data file with farmer name, farm address, farm size and farm type will be provided by the CSO in encrypted format by secure transfer to Teagasc. Teagasc will then visit each farm and collect accountancy details as part of the NFS.

The NFS is dependent on the sample of farms provided by the CSO. In turn, the CSO uses the results of the NFS as inputs into its own statistical calculations for agricultural prices and agricultural accounts.

Teagasc shall abide by all legal obligations arising under the Statistics Act and Data Protection legislation in its use of information provided by the CSO for the purpose of the NFS and in its procedures for the collection, processing, analysis and dissemination of the NFS. Further details of the legal obligations are set out in Section 6 of this agreement.

5. OTHER SURVEYS AND STATISTICAL CO-OPERATION PROJECTS

The CSO and Teagasc may also agree to co-operate on other surveys and statistical projects pursuant to this memorandum. As noted in Section 3, all such statistical co-operation projects will be subject to written confirmation by CSO and Teagasc of the scope of the statistical co-operation and the arrangements to be put in place for the project. In the case of joint surveys, these arrangements must include a description of the technical requirements and the steps which will be taken by the CSO and Teagasc respectively.

The requirements of the Statistics Act 1993 and of Data Protection legislation will apply in all cases.

In particular, all information provided by the CSO or collected by Teagasc for the NFS or for joint surveys will be subject to the terms of Sections 32 and 33 of the Statistics Act, 1993. The information may only be used for statistical purposes and it must be treated as strictly

¹ <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1217&from=EN>

confidential. The surveys may not include any non-statistical purposes or uses of the sample provided by the CSO or the data collected by Teagasc. Statistical confidentiality and data protection must be respected at every step of survey processing. All results tables must be subject to statistical disclosure control, to ensure that confidential data on individual farms is not identifiable from the results.

All staff of Teagasc assigned to work on such joint projects must be appointed as Officers of Statistics under Section 20(b) of the Statistics Act and must sign the Declaration of Secrecy set out in Section 21 of the Act.

Further information on the legal obligations applying to data processed pursuant to this agreement is set out in Section 6, Legal Background and Obligations.

6. LEGAL BACKGROUND AND OBLIGATIONS

This memorandum is an arrangement between the CSO and Teagasc under Section 11(1) of the Statistics Act 1993. As such, both the CSO and Teagasc are subject to the obligations set out in the Statistics Act.

All surveys and statistical projects conducted pursuant to this memorandum will be subject to the requirements of the Statistics Act, 1993. The requirements under Sections 32 and 33 respectively of the Statistics Act that information be used solely for statistical purposes and that information be treated as strictly confidential shall apply to both the CSO and Teagasc; and shall apply to all surveys and statistical projects implemented pursuant to this memorandum.

The transfer and processing of data pursuant to this agreement is subject, *inter alia*, to the following provisions:

- Section 10 of the Statistics Act 1993 outlines the function of the CSO in developing statistical information on the economic and social conditions in the State, and provides a remit for the CSO in coordinating official statistics compiled by public authorities and ensuring adherence to statistical standards and appropriate classifications.
- Section 13 of the Statistics Act sets out the independence of the Director General of the CSO on professional statistical matters.
- Section 11(1) of the Statistics Act 1993 provides that the CSO may make arrangements with other public authorities for the collection, compilation, extraction or dissemination of information for statistical purposes.
- Under Section 20(b) of the Statistics Act, all persons engaged in collection, extraction, compilation or dissemination of information, consequent on

arrangements made under Section 11(1) of the Act, shall be Officers of Statistics. All Officers of Statistics are required to sign a Declaration of Secrecy as set out in Section 21 of the Statistics Act.

- Under Section 30 of the Statistics Act, the Director General of the CSO may request any public authority to (a) allow officers of statistics at all reasonable times to have access to, inspect and take copies of or extracts from any records in its charge, and (b) provide the Office, if any such officer so requires, with copies of extracts from any such record. The public authority shall, subject to subsection 30(2), comply with any such request free of charge.
- Section 31 of the Statistics Act provides for co-operation of public authorities with the CSO in relation to assessing the statistical potential of administrative records. Subsection 31(2) requires a public authority to consult with the Director General of the CSO if it proposes to introduce, revise or extend any system for the storage and retrieval of information or to make a statistical survey.
- The provisions of Sections 30 and 31 apply to any surveys conducted by Teagasc pursuant to this agreement and in which sample data has been provided by the CSO, including the National Farm Survey and any other surveys jointly agreed (e.g. surveys of small farms or of organic farming). The CSO should be consulted pursuant to Section 31 before questionnaires are finalised and the CSO may request a copy of the survey micro-data, for statistical use, pursuant to Section 30.
- Attention is also drawn to the obligations under sections 32 and 33 of the Act, that information be used for statistical purposes only and that information be treated as strictly confidential. These requirements apply to all information processed by the CSO and Teagasc for the purposes of the NFS and of any other joint surveys implemented pursuant to this MoU.
- The CSO collects data by direct surveying and from DAFM administrative records, under the Statistics Act 1993 and Regulation (EU) 2018/1091 on Integrated Farm Statistics, for the purpose of Farm Structure Survey and Census of Agriculture statistics.
- Teagasc, as the Irish liaison agency of FADN, collects and processes the NFS to meet the requirements of Council Regulation (EC) No. 1217/2009. For the avoidance of doubt, the transfer in anonymous form of data collected through the NFS to FADN, as required by that regulation, will not constitute a breach of this MoU.

- Data sharing by the CSO with Teagasc for the purposes of the NFS or other statistical co-operation projects under this agreement is carried out pursuant to Articles 6(1)(c), 6(1)e and Article 89 of the General Data Protection Regulation.
- Data sharing by the CSO with Teagasc for the purposes of the NFS or other statistical co-operation projects under this agreement is carried out pursuant to Section 42 of the Data Protection Act 2018.

7. TECHNICAL MATTERS, DATA EXCHANGE, SECURITY

Data provided for the purpose of the NFS sample is strictly confidential and transmission will use encrypted methods and secure file transfer specified by the CSO.

In relation to the NFS sample, the CSO has agreed with Teagasc that the data file transmitted will be used for agreed statistical purposes only and specifically to inform interviewers of the location and type of farms to be surveyed. Any Teagasc interviewer collecting information from farm holdings will do so using a secure encrypted device.

Those interviewers, and all staff in Teagasc involved in processing the NFS, must be Officers of Statistics and sign the Declaration of Confidentiality set out in Section 21 of the Statistics Act.

The data file sent to Teagasc for the NFS will include farmer name, farm address, farm size and type of farm, based on a random sample of farms taken from the CSO farm register. Farm type is derived by the CSO using an extensive procedure set out in Commission Regulation (EC) No 1242/2008 establishing a Community typology for agricultural holdings² and again this process uses multiple sources including the FSS, COA and DAFM administrative data. CSO uses DAFM administrative data as well as FSS and COA data internally when classifying both the farm type and assigning size categories.

8. PROCEDURES FOR OFFICERS OF STATISTICS

Individuals in Teagasc with access to the data file are required to be appointed as Officers of Statistics and abide by the conditions applying to such officers, including the declaration required by Section 21 of the Statistics Act.

Section 20(b) within the Statistics Act specifies that the following persons shall be Officers of Statistics:

² <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008R1242&from=EN>

“every other person who, consequent on arrangements made under subsection (1) of section 11 of this Act, is for the time being engaged in and about the collection, extraction, compilation or dissemination of information under this Act”.

Before they may access the data provided by CSO to Teagasc, the relevant staff in Teagasc must be appointed as Officers of Statistics and must sign an undertaking as specified in Section 21 of the Statistics Act. Only the Director General of the CSO may appoint Officer of Statistics. The process for appointment of Officers of Statistics will be managed by the CSO’s Researcher Coordination Unit.

Any staff newly assigned by Teagasc to work which requires access to data provided under this agreement must be appointed as Officers of Statistics by the CSO before they undertake any such work. Teagasc will notify the CSO of any such staff changes.

In the event of a data breach of information which has been supplied by the CSO, Teagasc will refer to the CSO data breach procedures and report the breach to the Office of the Data Protection Commissioner’s Office as appropriate.

9. DATA CONTROLLER AND OBLIGATIONS UNDER DATA PROTECTION LEGISLATION

The data controller for personal information (e.g. NFS farm sample) selected by the CSO from the CSO’s farm register for provision to Teagasc, is the CSO. When the data is transferred to Teagasc, Teagasc becomes the data controller. It is the responsibility of Teagasc to have in place all necessary data management and governance processes for the protection of the data and compliance with the requirements of Data Protection legislation.

In the event of a breach relating to data received from the CSO under this agreement, Teagasc will inform the Data Protection Officer of the CSO and also inform the CSO liaison officer (see Section 10). This notification will be made within 24 hours. In addition, Teagasc will refer to their own data breach procedures and report the breach to the Data Protection Commission as appropriate. The CSO will not be held responsible for any loss, damage or injury caused as a result of such a breach.

10. COMMUNICATIONS AND REVIEW

Teagasc shall appoint a Liaison officer as the main point of contact with the CSO regarding the operation of this agreement. This role shall encompass a Data Custodian function, with responsibility for the management and use by Teagasc of data provided by the CSO to Teagasc under this agreement.

The CSO shall likewise appoint a Liaison Officer as the main point of contact with Teagasc.

A joint CSO-Teagasc Liaison Group, comprising relevant staff of the two organisations, will be established to manage and regularly review the implementation of this MoU. The group shall meet at least once per year. Additional meetings may be organised at the request of either the CSO or Teagasc.

11. PUBLICATION OF AGREEMENT

This agreement when finalised will be published on the CSO website (www.cso.ie).

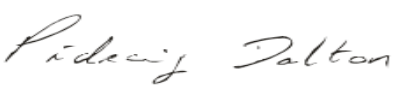

12. DURATION AND REVIEW OF MEMORANDUM OF UNDERSTANDING

The relevant staff of CSO and Teagasc, including the respective liaison officers, shall meet at least once per year to discuss the operation of this memorandum, work completed, and work planned.

This Memorandum of Understanding 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 mutual agreement in writing of Teagasc and the CSO.

This MoU will remain in force until a new one is entered into, and/or both CSO and Teagasc agree to revoke it. Depending on events, this MoU may be amended, subject to the mutual agreement of the CSO and Teagasc.

This Memorandum of Understanding constitutes the entire agreement and understanding between the CSO and Teagasc in relation to the sharing of farm details for the statistical purposes of carrying out the NFS.

Signed	
Central Statistics Office Pádraig Dalton Director General 	Teagasc Frank O'Mara Director 
Date: 14/07/2022	Date: 18 July 2022