

Accrued Public Service Pension Liability Estimate / Public Service HR Databank

Privacy Notice



**An Roinn Caiteachais
Phoiblí agus Athchóirithe**
Department of Public
Expenditure and Reform

Introduction

This notice applies to all current and former public service employees whose personal data is being requested for the purposes of, in the first instance, the estimation of the accrued public service pension liability, as required under EU Regulation (EU) 549/2013 and in the second instance, analysing HR data for public policy services. The intention is that this data will be stored in the Public Service HR Databank (“**Databank**”). The notice has been prepared in accordance with the European Union’s General Data Protection Regulation (GDPR) that came into effect on 25 May 2018 and the Data Sharing and Governance Act 2019.

Everyone has rights with regard to how their personal data is handled. We are committed to complying with our obligations to ensure that we treat your data in an appropriate and lawful manner.

This notice explains why and how this personal data, which will be contained within the Databank, is obtained, maintained and processed by the Department of Public Expenditure & Reform on behalf of the Minister for Public Expenditure & Reform.

We want you to be clear on:

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1. Who we are

The data gathering exercise for the estimation of the accrued public service pension liability and the development of the Public Service HR Databank is managed by the Department of Public Expenditure & Reform on behalf of the Minister for Public Expenditure & Reform.

Throughout this notice, “we”, “us”, “our” and “Department” refer to the Department of Public Expenditure & Reform. The Minister for Public Expenditure & Reform (“Minister”) is the Data Controller.

The correspondence address for the Department and the Minister is:

Department of Public Expenditure & Reform, Government Buildings, Upper Merrion Street, Dublin 2.

2. When and how we collect information about you

We receive most of the information from your public service employer (whether former or current). Your public service employer is required to make secure electronic submissions to the Databank through a secure portal. It is the intention that this submission will be repeated annually, and in time quarterly.

3. The information we collect about you

We collect employment-related information on current and former public service employees that the Minister considers necessary to:

1. Support the setting of multi-annual expenditure ceilings in the context of the estimates process;
2. Support the development, implementation and monitoring of staffing levels across the Government; and
3. Ensure compliance with EU Regulation (EU) 549/2013 as it relates to the periodic estimation of public service pension liabilities.

This information includes the following categories of data:

Active Employee Data Request¹

Data Field	Format	Comments
PPSN	1234567Z	Establishing the total number of public service employees
Date of Birth	DD/MM/YYYY	This data field is required to calculate the expected timing and duration of the member's pension
Gender	Male / Female / Other	This data field is required to calculate the expected duration of their pension
Marital / Civil Partnership Status	Yes / No	Estimating contingent payments
Pension Scheme	Pre 95, Pre 2004, Post 2004 or Single Scheme	Required so member can be allocated to the correct pension scheme
Date of Entry into Scheme	DD/MM/YYYY	This data field is required to calculate the expected timing and duration of the member's pension
Minimum Normal Retirement Age	Age in years	Required to calculate the timing and duration of the member's pension

¹ current employed members of staff within the public service.

Mandatory Retirement Age	Age in years	Required to calculate the timing and duration of the member's pension
PRSI Category	PRSI Class	Required to calculate the interaction of the member's pension.
Annual Pensionable Pay [Full Time Equivalent]	€xx,xxx p.a.	Annual Pensionable Pay [Full time equivalent] should include all elements of pensionable pay and should exclude non – pensionable elements of pay.
Annual Basic Pensionable Pay [Full Time Equivalent]	€xx,xxx p.a.	Annual Pensionable Basic Pay [Full time equivalent] should include basic pensionable pay, <u>exclude all fluctuating pensionable emoluments/allowances</u> and should exclude non – pensionable elements of pay.
Length of Service to 31 st December 2021	Years and Days	Length of Service should incorporate part-time service and career breaks .
FTE	e.g. 0.5	Required to calculate the timing and duration of the member's pension
Occupation/Grade	e.g. Primary school teacher, staff nurse, engineer, AO, HEO etc	Estimating value of the member's pension
Scale Point	Point 1, Point 2, etc	Estimating value of the member's pension
Increment Date	DD/MM/YYYY	This data field is required to calculate the expected timing and duration of the pensions payment

Pensions Data Request²

Data Field	Format	Primary Purpose / Further details
Actuarial Accrued Liability and Policy Analysis Data		
PPS Number	1234567Z	Establishing the total number of retired public servants

² Former staff members (and their dependants) who are currently in receipt of pension payment.

Date of Birth	DD/MM/YYYY	Estimating the expected duration of pensions in payment
Gender	Male / Female	Estimating the expected duration of pensions in payment
Civil Status	Single / Married / Civil Partner / Divorced / Cohabitant / Judicially Separated / Separated / Former Civil Partner / Widowed / Surviving Civil Partner / Unknown	Estimating value of pension scheme contingent payments
Pension Scheme	Pre 1995, Pre 2004, Post 2004, Single Scheme, Non-Established	Estimating the expected duration and future value of pensions in payment
Type of Beneficiary	Member/ spouse-legal partner / PAO / Children	Estimating the expected duration of pensions in payment and contingent payments
Pension Commencement Date	DD/MM/YYYY	Estimating the expected duration of pensions in payment
Gross Annual Pension Value at 31 December 2021 (i.e. pre-abatement and excluding any Supplementary Pension paid)	€xx,xxx	Estimating value of pensions in payment
Gross Annual Supplementary Pension Value at 31 December 2021 (if any)	€xx,xxx	Estimating value of pensions in payment when the State Pension (Contributory) is payable
Additional Policy Analysis Data		
Basis that Pension Commenced	e.g. Normal, ill-health retirement, Cost Neutral Early Retirement, Incentivised Retirement scheme	Pension Policy analysis
"Pensionable Service" used in the calculation of pension value	Years in decimals e.g. 40.0	Estimating future value of pensions in payment
Basic Pay value in Pensionable Remuneration	€xx,xxx	Estimating future value of pensions in payment
Pensionable Allowances and Emoluments value in Pensionable Remuneration	€xx,xxx	Estimating future value of pensions in payment

Deferred Member³ Data Request

Data Field	Format	Primary Purpose / Further details
PPSN	1234567Z	Establishing the total number of public service pensions payable

³ Former staff members who will be prospectively entitled to a public service pension benefit.

Date of Birth	DD/MM/YYYY	Estimating the expected duration of pensions in payment
Gender	Male / Female	Estimating the expected duration of pensions in payment
Civil Status	Single / Married / Civil Partner / Divorced / Cohabitant / Judicially Separated / Separated / Former Civil Partner / Widowed / Surviving Civil Partner / Unknown	Estimating contingent payments
Pension Scheme	Pre 1995, Pre 2004, Post 2004, Single Scheme, Non Established	Estimating the Value and duration of future pensions payable
Preserved Pension Age	Retirement age in complete years	Estimating the expected duration of future pensions payable
PRSI Category	PRSI Class	Estimating the expected value of future pensions payable
Full – Time Equivalent (FTE)	e.g. 0.5	Required to calculate the timing and duration of the member's pension
Pensionable Employment Start Date	DD/MM/YYYY	Estimating the expected value of future pensions payable
Pensionable Employment Leave Date	DD/MM/YYYY	Estimating the expected value of future pensions payable
Pensionable Remuneration that future pension will be based on. (pensionable pay + pensionable allowances)	€xx,xxx p.a.	Estimating the expected value of future pensions payable
Pensionable service that pension will be based on (only required for Pre-Single Scheme pension schemes)	Years in decimals e.g. 23.3712	Estimating the expected value of future pensions payable

Special categories of personal data

We must specifically inform you if any of the data that we collect is considered to be a special category of personal data. Where such data is collected, it requires additional safeguards for processing. In the table below, we list the special categories of data identified under GDPR and inform you if we are collecting such personal data in the Public Service HR Databank:

Biometric data	No – We do not process any biometric data
Genetic data	No – We do not process any genetic data
Health data	Yes (indirectly) – In circumstances where an employee retires early on the grounds of ill-health, the retirement will be recorded by an employer on the Databank as an Ill-Health Retirement Claim. However, in such an event, the nature of the illness or disability giving rise to the retirement will not be disclosed to us by the employer.
Political opinions	No – We do not process data on political opinions
Racial or ethnic origin	No – We do not process data on racial or ethnic origin

Religious or philosophical beliefs	No – We do not process data on religious or philosophical beliefs
Sexual orientation	Yes (indirectly) – We will process data regarding the legal Civil Status of an employee or pensioner to assist with an actuarial assessment of current and future pension liabilities. In doing so, it may be possible to indirectly infer information related to sexual orientation.
Trade union membership	No – We do not process data related to trade union membership

4. How we use your information

Your information, and similar information in respect of all other public service employees and pensioners will be used by the Department of Public Expenditure and Reform for the purpose of supporting:

1. the setting of multi-annual expenditure ceilings in the context of the estimates process;
2. the development, implementation and monitoring of Government workforce planning strategies; and
3. To ensure compliance with EU Regulation (EU) 549/2013 as it relates to the periodic estimation of public service pension liabilities.

We must specifically inform you that your personal information will **not** be subject to any form of automated decision making, including profiling, that may produce legal or other significant effects on you.

5. Who we share your information with

We will only share your information where we are satisfied that a sound legal basis for sharing exists and where we are further satisfied that there are appropriate safeguards in place to protect your information.

To recipients external to the Department	<p>We may share your information with:</p> <ul style="list-style-type: none"> • you or your authorised advisors, in response to a request for access to your personal data including in the event of a legal dispute; • your public service employer (current or former), or their agents • your public service employer (current or former), or their agents, in the event of a legal dispute; • statutory and regulatory bodies including, for example, the Pensions Authority, the Financial Services & Pensions Ombudsman, the Data Protection Commission, the Revenue Commissioners, the Courts Service and An Garda Síochána; • our external legal advisors in the defence of a legal claim or dispute. • the National Archives, in due course, in accordance with our obligations under the National Archives Act, 1986;
To recipients internal to the Department	<p>We may share your information with:</p> <ul style="list-style-type: none"> • DPER officials engaged in compliance with EU Regulation (EU) 549/2013 as it relates to the periodic estimation of public service pension liabilities. • authorised officers directly involved in the management or administration of the Public Service HR databank • our internal legal advisors in the defence of a legal claim or dispute involving us or your public service employer <p>Subject to appropriate anonymisation or pseudonymisation of your data, your information may be also be disclosed to other authorised officers within the Department:</p>

	<ul style="list-style-type: none"> • as part of HR workforce planning assessments regarding the current and future staffing requirements of public service bodies; • to develop, or review the effectiveness or potential implications of, a policy or potential policy of Government; • in the performance of a function conferred on or transferred to the Minister under the Ministers and Secretaries (Amendment) Act 2011 including the setting of public expenditure ceilings as part of the Government's Exchequer estimates process.
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6. How we securely hold your information

All of your data is securely held on information systems managed and administered by us.

We maintain appropriate technical and organisational measures to protect your personal information (including special categories of data) against unauthorised access or disclosure and to safeguard against accidental or unlawful destruction, loss or alteration of your information. We evaluate these measures on a regular basis to ensure the security of processing.

7. How long we hold your information

The length of time we hold information data depends on a number of factors. These factors include:

- our obligations to retain information for prescribed periods under national legislation or associated regulations including, for example, under the Public Service Pensions (Single Scheme and Other Provisions) Act 2012, the Pensions Act 1990, the Family Law Acts, the Freedom of Information Act, 2014 and the National Archives Act, 1986;
- whether you or a regulatory authority asks us to keep it for a valid reason e.g. the Financial Services & Pensions Ombudsman;
- whether you are in a legal dispute involving you, us and/or your public service employer (current or former);
- whether we use your data for long-term statistical analysis or modelling, provided such data has been appropriately pseudonymised or anonymised.

As a general rule, and subject to our obligations at law, and in accordance with Article 5 of GDPR, data will be kept for no longer than is needed for the purpose for which it is collated. The purposes of the HR databank will be to provide a longitudinal database allowing for better analysis of pay expenditure and workforce planning over the medium to long term, so it is envisaged that the individual level data will be kept for an indefinite period.

8. The legal basis for collecting and processing your information

Section 27 of the Data Sharing and Governance Act 2019 provides the legal basis on which we collect and process your information:

A public service body or an agent of the body, where the information concerned is held by that agent, shall at the request of the Minister provide information ... to the Minister for the purposes of

- The performance of a function conferred on or transferred to the Minister under the Ministers and Secretaries (Amendment) Act 2011, including estimates of current Exchequer expenditure;
- Undertaking an actuarial evaluation of a public service pension scheme or other public expenditure;

- Assessing the impact, from a financial perspective, on a public service body of implementing a current or proposed policy of Government;
- Promoting equality of opportunity and treatment, protecting human rights, and eliminating discrimination in public service bodies;
- Assessing the current and future staffing requirements of a public service body;
- Undertaking an organisation review of a public service body.

The data being collated for the databank is also essential for the estimation of the accrued pension liability (and associated scheme funding requirements) as required by EU Regulation (EU) 549 / 2013 which obliges Ireland to report on the gross liabilities of Irish pension schemes as part of the National Accounts.

9. Processing your information outside the EEA

All of your data is securely held on information systems managed and administered by us in the Republic of Ireland. It is not envisaged that we will store or permit the transfer of your information to any service provider or organisation outside of the European Economic Area (EEA).

In the event that such storage or transfer of data outside of the EEA is contemplated, a comprehensive data privacy impact assessment will be completed in advance. If proceeding thereafter, we will ensure that this service provider or organisation agrees to act solely on our instructions and that your information is protected to the same standard as applies in the EEA in accordance with our obligations under GDPR.

10. How to exercise your information rights

Providing and holding personal information comes with significant rights on your part and significant obligations on ours. You have several rights under GDPR in relation to how we use your information.

In the context of the Databank, you have the right to:

- be informed that your personal information is being submitted to the Databank and to obtain information on how and why your information is processed. This Privacy Notice provides this information;
- establish if the Databank holds personal information about you and, if so, to be provided with a copy of this information. Please see the “Making a Subject Access Request (SAR)” section below for further information on how you can submit a request for a copy of your personal information.
- make a request that any inaccurate information within the Databank is corrected and/or any incomplete information is updated. We will grant this request as soon as possible, if and in so far as checks with your public service employer (current or former) show your request to be well-grounded;
- in particular circumstances, request to restrict the processing of your information;
- in particular circumstances, ask to have certain information erased;
- in particular circumstances, object to us processing your information;
- not be subject to automated decision-making, including profiling, where it produces legal or other significant effects on you;
- the right to lodge a complaint with the Data Protection Commission.

Making a Subject Access Request (SAR)

To make a request for access to your personal information, you must complete our Subject Access Request Form (SARF) that you can access by [clicking here](#) or accessing the form at <http://www.per.gov.ie/wp-content/uploads/Subject-Access-Request-Form.docx>

You can return your fully completed SARF to us:

By post:	Data Protection Officer Department of Public Expenditure and Reform Government Buildings Upper Merrion Street, Dublin 2, D02 R583
By email:	dataprotection@per.gov.ie

When submitting your fully completed SARF, you should ensure that you attach the necessary information to confirm your identity. In particular, you should include your PPSN on all SAR.

The Department of Public Expenditure and Reform will usually supply you with your information free of charge. However, we may charge a reasonable fee if we believe that your request is clearly unfounded, excessive or repetitive. Where we have identified that a charge is applicable, we will notify you in advance so that you can decide whether to continue or not.

We are obliged to respond to you without undue delay. In most instance, we will respond to you within one calendar month of your request having been accepted. If we are unable to deal with your request fully within a calendar month (due to the complexity or number of requests), we may extend this period by a further two calendar months. Should this be necessary, we will inform you within one month of the receipt of request and explain the reasons why an extension is necessary.

If you make your request electronically, we will, where possible, provide the relevant information to you electronically, in a universally accessible format, unless you ask us otherwise.

Complaints

If you have a complaint about how your personal data is being handled, please contact us to give us the opportunity to put things right as quickly as possible.

If, however, you feel that your complaint hasn't been dealt with fully or appropriately, you have the right to complain to the Data Protection Commission. You can contact the Data Protection Commission using the details below:

By post:	Data Protection Commission 21 Fitzwilliam Square South Dublin 2 D02 RD28 Ireland
By telephone:	LoCall 1890 252 241 or (076) 1104 800
By email:	info@dataprotection.ie
Online:	https://www.dataprotection.ie/docs/Contact-us/b/11.htm

11. How to contact our Data Protection Officer

If you have any questions about how your information is gathered, stored, shared or used, please contact our Data Protection Officer:

By post:	Data Protection Officer Department of Public Expenditure and Reform Government Buildings Upper Merrion Street, Dublin 2, D02 R583
By email:	dataprotection@per.gov.ie

12. Changes to this notice

We will update this Data Privacy Notice from time to time. You can always find an up-to-date version of this notice published online, or you can ask our Data Protection Officer for a copy.