



Educational Research Centre (ERC) Privacy Statement

The Educational Research Centre (ERC) respects your right to privacy and complies with the obligations set out under the Data Protection Acts 1988, 2003 and 2018, the General Data Protection Regulation (GDPR) 2018 and the Data Sharing and Governance Act 2019. This statement outlines how the ERC uses personal data shared with our organisation. Please note that, by visiting our websites, you are accepting the terms of this Privacy Statement and the ERC's Cookie policy.

Privacy statements of other websites

The ERC website contains links to other websites. This privacy statement applies to the ERC website only, if you click on a link to another website, you should read that website's privacy statement.

What data does the ERC collect? How is the data collected? How is the data used?

We gather data to perform tasks carried out on behalf of the Department of Education (DoE). **Personal Data** and **Special Category Data** are gathered to fulfil the ERC's obligations under S.I. No. 392 of 2015 and amendment, S.I. No. 309 of 2017. The S.I., or Statutory Instrument, outlines the functions and responsibilities of the Educational Research Centre [http://www.irishstatutebook.ie/eli/2015/si/392/made/en/print-Processing_of_personal_data_is_carried_out_pursuant_to_section_38\(1\)_of_the_Data_Protections_Act_2018](http://www.irishstatutebook.ie/eli/2015/si/392/made/en/print-Processing_of_personal_data_is_carried_out_pursuant_to_section_38(1)_of_the_Data_Protections_Act_2018).

Processing of special category data is necessary for the operation of the ERC in accordance with section 49(b) of the Data Protection Act 2018.

Some data gathering occurs in conjunction with schools and other agencies as outlined below.

1. **School Level Data** – We use school roll numbers, school names and contact information to
 - a. process and deliver any goods or services you have ordered and/or
 - b. contact you in connection with any goods or services ordered.
 - c. respond to any enquiry or any application form you submit.

This information is provided by schools when purchasing tests, or when submitting a query to the ERC regarding test purchases. This data is shared with our third-party processor, Arema Connect, who process customer contacts on behalf of the ERC. The DOTS platform is hosted by Prodigy Learning on behalf of the ERC. Both Prodigy and Arema Connect are located in Ireland and all data processing carried out on behalf of the ERC takes place within the EEA (European Economic Area). There are Data Processing Agreements in place with both Prodigy and Arema Connect. Additionally, Arema Connect provides the following guarantee for the data they process:

'We ensure that only select trusted third parties provide sufficient protection under EU law. We will not transfer any data sourced within the European Economic Area (EEA) to third parties located outside of the EU without ensuring adequate protection of European law.'

WHERE WE STORE YOUR PERSONAL DATA

'Data that we collect from you may be transferred, stored and processed at a location outside the European Economic Area (EEA). By submitting your personal data, you agree to this transfer, storage and/or processing of your data by our select suppliers for the provision of our services by allowing for the processing of such. We will take all the necessary action to ensure that your data is treated securely and in accordance with this privacy policy and is safeguarded under Irish and EU law.'

Click on the links below to access Prodigy and Arema Connect's Privacy Information:

- [Prodigy Learning – Privacy Policy](#)
- [Arema Connect | Privacy Statement - Read our Commitment Here](#)

Lawful Processing Condition: processing is necessary for compliance with a legal obligation to which the controller is subject.

2. **School and Student Level Data** are gathered for:

- a. Processing Drumcondra test scores using the Machine Scoring Service. In this instance, data is only submitted by a school where the school has procured the ERC's scoring service.
- b. Providing Drumcondra tests and scores online to those schools that purchase online tests from the ERC.
- c. Providing PPAD-E scoring and reporting from the data entered by schools to the PPAD-E scoring and reporting application. This online application hosts PPAD-E data entered by the school's user, allowing the school to manipulate and process their own data. (We are currently the only service provider in this jurisdiction providing an Irish-normed screening and diagnostic test of literacy for students.)

This information is provided to the ERC by schools which have purchased tests from the ERC. Personal data is shared with our third-party processor, (currently Kefron), who scan the answer sheets on behalf of the ERC. The DOTS platform is hosted by Prodigy Learning on behalf of the ERC. Both Prodigy and Kefron are located in Ireland. All data processing carried out on behalf of the ERC takes place within the EEA (European Economic Area). Personal and Special Category Data are uploaded by the school to the PPAD-E platform stored on servers within the EEA. The platform is maintained by Polymetrika International, based in Canada.

Click on the links below to access the Kefron and Polymetrika Privacy Policies:

Kefron - [Privacy Statement - Kefron](#)

Polymetrika - <https://polymetrika.ca/>

Lawful Processing Condition: Processing is necessary for compliance with a legal obligation to which the controller is subject. The process of special category data is necessary for reasons of substantial public interest, based on Union or Member State law (section 49(b) of the Data

Protection Act 2018) which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject. Some of this data processing will take place in Canada (see Privacy Statement above). A data processing agreement is in place between the ERC and Polymetrika. The majority of the data processed by Polymetrika will not be special category personal data however some special category data will be processed. Where a child receives assistance, health information such as a disability and/or health status may be inferred.

3. **School, Teacher, School Coordinator, Student and Parent Level Data** is gathered for national and international studies required to inform educational policy and practice.
 - a. A Data Sharing Agreement governs data shared by the DoE with the ERC. The DoE provides data such as the number of classes in each year of study, pupil/student names, pupil/student gender, and pupil/student date of birth.
 - b. Where a school is selected for a study, the principal is contacted in the initial phase of a study to advise the purpose of the study and to gather additional data and/or validate the data provided by the DoE, e.g., to validate the names of the students in each class grouping for the year(s) of study in question.
 - c. In addition, parents and students/pupils are also communicated with, sharing the study-specific privacy statement to explain the purpose of the study, why the data being collected is required, with whom the data will be shared, when the data will be anonymised/deleted.

The data is shared with our third-party processors, Kefron, who provides a data entry service and with Irish Security Shredding, who provides an on-site secure shredding service on behalf of the ERC. Kefron and Irish Security Shredding are both located in Ireland and all data processing carried out on behalf of the ERC takes place within the EEA (European Economic Area).

Lawful Processing Condition - Special Category Data: Processing is necessary for reasons of substantial public interest, based on Union or Member State law (section 49(b) of the Data Protection Act 2018) which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

As the only centre in Ireland undertaking these studies on behalf of the Minister of Education there is substantial public interest in carrying out these studies pursuant to our statutory functions. A Data Protection Impact Assessment (DPIA) is carried out prior to project commencement.

4. **Recruitment Process** - Personal Data is gathered to process any application for ERC vacancies advertised and to assist with the selection process. Data is provided by applicants for positions that arise in the ERC that are advertised on www.PublicJobs.ie or on the ERC's website etc. The ERC requests that Curriculum Vitae are accompanied by letters of application for the vacant position. This data is used during the recruitment process to evaluate the candidate against the required criteria

and to appoint the most suitable candidate to take up the vacant position. Only candidates actually being considered for appointment are requested to furnish contact details of referees.

5. **Building Access at ERC premises** – In accordance with the ERC's health and safety procedures, when entering the building staff and visitors (including, contractors, suppliers, interview candidates, etc.) are required to enter information in the sign-in book at reception. The information required includes the date, time of arrival/departure and full name. For security purposes, we also require (the signature of the person and) the name of the visitor's organisation, when arriving at the ERC. The purpose for gathering this data is to account for all building occupants in the event of an evacuation. As the ERC premises are not open to the public, in order to ensure the safety of our staff, and the confidentiality and protection of the data we process, we require that only authorised persons are permitted access to the building. Sign-in books are retained in accordance with the ERC's retention schedule.

Lawful Processing Condition: The processing of this data is necessary in order to protect the vital interests of the staff and visitors to the ERC.

Data Breach Policy

The ERC maintains a data breach policy which is available upon request.

What are cookies?

Cookies can be defined as text files containing small amounts of information which are downloaded to your device when you visit a website. Cookies are then sent back to the originating website on each subsequent visit, or to another website that recognises that cookie. Cookies are useful because they allow a website to recognise a user's device.

- Cookies do lots of different jobs, like letting you navigate between pages efficiently remembering your preferences, and generally improve your website experience. They can also help to ensure that adverts you see online are more relevant to you and your interests.
- Most Sites you visit will use cookies in order to improve your user experience by enabling that Site to 'remember' you, either for the duration of your visit (using a 'session cookie') or for repeat visits (using a 'persistent cookie').
- Cookies may be set by the Site you are visiting ('first party cookies') or they may be set by other Sites who run content on the page you are viewing ('third party cookies').

You can find more information about cookies at:

- www.allaboutcookies.org
- www.youronlinechoices.eu

For information about the use of cookies by the ERC's website www.erc.ie, please reference our Cookie Policy on the Data Protection page.

What are your data protection rights?

The ERC would like to ensure that you are fully aware of your data protection rights. Every person is entitled to the following:

- **The Right to Access:** you have the right to request copies of your personal data from the ERC. We may charge a small fee for this service.
- **The Right to Rectification:** You have the right to request that the ERC correct any information you believe is inaccurate. You also have the right to request the ERC to complete information you believe is incomplete.
- **The Right to Erasure:** You have the right to request the ERC erase your personal data, under certain conditions.
- **The Right to Restrict Processing:** You have the right to request that the ERC restrict the processing of your personal data, under certain conditions.
- **The Right to Object to Processing:** You have the right to object to the ERC's processing your personal data, under certain conditions.
- **The Right to Data Portability:** You have the right to request that the ERC transfer the data that have been collected to another organisation or directly to you, under certain conditions.

If you make a request, the ERC has one month to respond to you. If you would like to exercise any of these, please contact us at [Data.Protection@erc.ie](mailto>Data.Protection@erc.ie)

How do I make a Subject Access Request (SAR) for my data?

Before submitting a Subject Access Request, we encourage students, parents and teachers to refer to our SAR Policy on our website.

In order to confirm the identity of the data subject (the person to whom the data belongs) and to ensure the protection of your data, where the request is in relation to a student's data, we would ask you to contact the school directly to initiate your request. The school will liaise with the ERC to submit the completed request form on your behalf.

- A parent or guardian must submit the SAR via their child's school where the data subject is a child under the age of 13.
- Where the data subject is 13 years or older, the request must be submitted by the student (or by the parent or guardian of the student), via their school.

If you would like to access your personal data, please complete our Subject Access Request Form, which can be found in the Subject Access Request section of our Data Protection & Corporate Governance pages on our website.

NOTE: If your data has been anonymised or deleted in accordance with our Data Retention, Erasure and Disposal Policy, we will not be able to facilitate your request to access your data.

How do I update, verify or delete my data?

You may contact us directly to inform us of any changes in your data and we undertake to update your data in accordance with our obligations under current Data Protection legislation.

- In order to confirm the identity of the data subject (the person to whom the data belongs) and to ensure the protection of your data, where the request is in relation to a student's data, we would ask you to contact the school directly to initiate your request. The school will liaise with the ERC to make the necessary changes on your behalf.
 - A parent or guardian must submit the request via the child's school where the data subject is a child under the age of 13.
 - Where the data subject is 13 years or older, the request is submitted by the student (or by the parent or guardian of the student), via their school.

NOTE: The ERC advises study participants that there is generally a four-week window from the date of testing or from the date of completing a questionnaire to make changes to their factual data. This does not apply to test answers or to questionnaire data intended to capture views at a particular point in time. After this four-week window, data are submitted for processing, and it is not possible to delete or make changes to data from that point. Student data are pseudonymised or anonymised as early in the process as possible, to make it difficult or impossible to link the answers back to an individual.

- If you wish to amend or delete data we have stored in our systems, please send an email to data.protection@erc.ie with your name, email address and contact information, outlining the information you would like to amend or delete. Please put '**Personal Data - Change Request**' or '**Personal Data – Delete Request**' in the subject heading of the e-mail. We may need to contact you in order to complete any request in order to verify your identity and/or clarify any requests.
- If your data has been anonymised or deleted in accordance with our Data Retention, Erasure and Disposal Policy, we will not be able to facilitate your request to make changes or delete your data.

Will this data be shared with any Third Parties?

The ERC uses the third parties outlined in this Privacy Statement to assist with some of our data processing tasks. Any third parties engaged by the ERC will be engaged in compliance with data protection legislation. Where data is shared with third parties associated with international studies such as PISA (OECD), PIRLS or TIMSS (IEA), only pseudonymised data is shared with the third-party contractors. These shared pseudonymised data sets have the participant names removed but include personal and special category data. The data is fully anonymised (i.e., identifying information is deleted) after the administration of the study. These third-party contractors, engaged by the OECD and IEA, are engaged in compliance with data protection law and strict data protection policies and processes. As subcontractors can change from one study cycle to the next, a Data Protection Statement is prepared by the ERC, for each new study cycle, detailing the third parties involved for that particular cycle, along with the data protection information specific to that study.

The ERC will publish reports using aggregated data in accordance with our obligations under S.I. No. 392 of 2015 and amendment, S.I. No. 309 of 2017. Individual student test results and data are not shared with any external bodies. However, where reliable individual data have been generated, e.g., test scores, these are typically shared with the relevant school.

The ERC will disclose your personal data if required in order to comply with any applicable law, summons, search warrant, court or regulatory order, or other statutory requirement.

Is my personal data secured?

Your personal data is stored securely. We will take all reasonable steps to protect your personal data. However, the nature of the Internet is such that we cannot guarantee or warrant the security of any information you transmit to us via the Internet. No data transmission over the Internet can be guaranteed to be 100% secure.

Changes to our Privacy Statement

Any changes to this Privacy Statement will be posted on our website so you are always aware of the information we collect, how we use it, and under what circumstances, if any, we disclose it.

The ERC keep its Privacy Statement under regular review and places any updates on this web page. This Privacy Statement was last updated on 11 April 2024.

How to contact us:

If you have any questions about our Privacy Statement, the data we hold in relation to you, or you would like to exercise one of your data protection rights, please do not hesitate to contact us.

E-Mail: Data.Protection@erc.ie

Post: The Data Protection Officer, The Educational Research Centre, DCU, St. Patrick's Campus, Drumcondra Road Upper, Dublin D09 AN2F

Telephone: (01) 837 3789

How to contact the appropriate authorities:

Should you wish to report a complaint or if you feel that the ERC has not addressed your concern in a satisfactory manner, you may contact the Data Protection Commissioner's Office.

Details for contacting the Irish Data Protection Commissioner can be found at:

<https://www.dataprotection.ie/en/contact/how-contact-us>