4.10 Privacy Notice for Family Law Pension Adjustment Orders (PAO)

Updated : 8.4.2019

Purpose

The purposes for which the Department processes your data,

- Implement Pension Adjustment Order from School staff member or spouses, on foot of a valid court order
- Calculation of pension entitlements on foot of PAO
- Accounting and auditing for Public Expenditure

Legal basis

- Pension Adjustment Orders made under The Family Law Act, 1995 and the Family Law (Divorce) Act, 1996

- COMPTROLLER AND AUDITOR GENERAL (AMENDMENT) ACT, 1993
- https://www.education.ie/en/Education-Staff/Services/Retirement-Pensions/Teaching-Staff/data-protection/data-protection-and-your-pension.html

Source

- Pensioner
- Teachers
- Special Needs Assistants
- Caretakers
- Clerical Officer/School Secretary
- Solicitors/ Barristers
- Non-Legal representatives
- Court Service of Ireland

Categories of data subject

- Teacher
- Special Needs Assistant (SNA)
- Clerical officer / School Secretaries
- Caretakers
- Spouse / Civil Partner

Categories of personal data

- PPSN
- Payroll No
- Identity
- Contact Details
- Bank Details
- School Details
- Service History
- Previous pension History
- Qualifications

- Leave of absence history
- Spouses and Children Pension history
- Revenue Pensions declaration
- Aggregation of pension for PSPR purposes

T**eacher**

- Teaching Council Reference No

Spouse / Civil Partner

- Date of retirement
- Date of death
- Contact details
- Employee registration number
- Pension commencement date
- Gross Annual Pension

Further Processing

Where the Department intends to further process your data or that of your child for a purpose other than the purposes listed above, the Department will provide you prior to that further processing with information on that other purpose and with any relevant further information on the processing activity and your data protection rights.

Recipients of the data

Data Sharing

The Department will/may share this Data when required with:

1. With the Scheme Member and/or their legal representatives

2. With the non-members and/or their legal representatives

Storage period

The data processed will be retained for a period of 80 years to enable the auditing of the expenditure of public funds and subject to review thereafter.

Third Country

None of your data or that of your child or the tutor's data will be transferred to a country outside of the European Economic Area i.e. the EU and Norway, Iceland and Liechtenstein

Data Subject Rights

Please follow the https://www.education.ie/en/The-Department/Data-Protection/Information.html for information on your right to access your data and that of your child's.

You may also exercise your right to correct your data, seek to restrict how it may be processed or object to how it may be processed. Your data or that or your child's will not be used for automated decision-making or profiling, please see http://gdprandyou.ie/wp-content/uploads/2018/03/Rights-of-

Individuals-under-the-General-Data-Protection-Regulation.pdf for a the data Protection Commissioner's Guide to Data Subject Rights.

While you have a right to have your data or that of your child deleted the Department may not be able to agree to your request if it is less than 80 years since you submitted your application under this scheme. The Department may not be able to agree to your request for deletion also where your data is subject to the National Archives Act 1986 and no order has been made to dispose of the this category of data under that Act, see guidance from the National Archives

http://www.nationalarchives.ie/wp-content/uploads/2018/05/20180319GDPRNAA_GuidanceNote_1.pdf .

You have the right to lodge a complaint with the Data Protection Commissioner, please see

www.dataprotection.ie

Contact Details

The Department of Education and Skills is the data controller for the processing of your data. If you have any query in respect of this you may contact the pension section by email to:

pensions@education.gov.ie

or by post to the address listed below.

The Department's Data Protection Officer may be contacted by sending an e-mail to dpo@education.gov.ie or by post to Department of Education and Skills, Data Protection Unit, Athlone, Co. Westmeath, N37 X659.