

National Centre for Guidance in Education (NCGE)

GDPR considerations

AEGI AGMS

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National Centre for Guidance in Education



**An Roinn Oideachais
agus Scileanna**
Department of
Education and Skills



NCGE FET Guidance Programme Coordinator Introduction and Relevant Updates

2017 – 2018 ongoing engagement with the FET Guidance providers and policy makers engaging national considerations regarding FET Guidance policy and practice development.

NCGE FET have worked with SOLAS, ETBI, ETBs and the wider stakeholders encouraging engagement with practitioners so that experience and challenges ‘on the ground’ are understood and are considered in policy developments.

Acknowledge that challenges vary considerably across the wide range of FET service delivery.

This webinar we want to consider developments & challenges regarding AEGI AGMS Data Gathering and GDPR

Roles and responsibilities attached to data collection and data management issues must be part of the development of the FET Guidance Strategy.

Since April 18, working with Sytorus, Legal advisors and SOLAS to consider all GDPR issues regarding Data Gathering systems (AGMS) currently in place while also considering the arrangements and agreements that will lead to the future of Guidance in FET

SOLAS - NCGE AEGI AGMS Plan 2018:

- Review & develop AEGI AGMS in line with data protection requirements for the wider FET Sector
- Make ETB-wide overall, total beneficiaries statistics available.
- Consider issues/ challenges involved to 'capture' FET wide guidance provision.
- Consultation and planning with AEGS, ETBI and ETBs to include development of Data protection guidelines.
- Guidelines for good practice for upload to the FET Handbook.

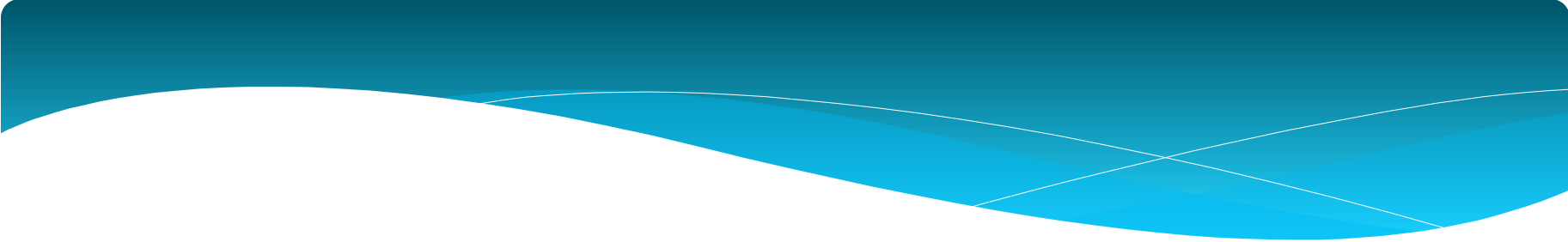
NCGE Steps: Engage expert/legal advice, agree with DES & SOLAS:

- GDPR requirements: Roles, Responsibilities Data Controller/ Processors
- NCGE – SOLAS agreement
- NCGE – Salespulse agreements
- NCGE – ETBs agreement

Review current AGMS and practice, agreed with Directors of FET & SOLAS:

- Consultation with AEGI / AEO / FET Directors / DES / SOLAS
- Regional meetings x 4 November (Sligo, Athlone, Dublin & Cork)

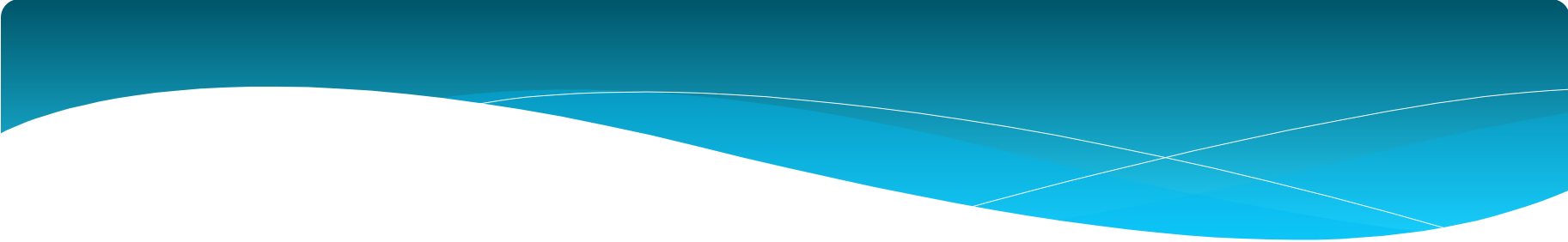
October 18: NCGE requested AEGI to facilitate AGMS access for Directors of FET; NCGE will host training on the AEGI AGMS for Directors of FET to support useful consultations on AGMS development

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- **What is imperative that services maintain the AEGI Good Practice Guidelines**
 - **Currently no staff other than those employed under the AEGI Service should input information to the database. Any requests to be included need to be approved by NCGE.**
 - **NCGE has refused requests for access to ETB staffing other than the Directors of FET.**
 - **Quantitative Records and Qualitative Reports continue to be required**

<https://www.ncge.ie/fet-guidance-handbook/record-keeping-and-data-gathering>



- The DES National Skills Strategy 2025 outlined the plan for a career guidance review and in and subsequent DES Action Plan 2018, DES commenced the review of Careers Information and Tools.
- NCGE expects that the Review of Careers Information & Tools will provide recommendations - *based on the independent national consultation process* - to inform the process of developing such a national strategy. Furthermore, these recommendations are expected to inform the DES, SOLAS, NCGE, ETBI and ETBs and other national stakeholder discussion on the development of the FET Guidance Strategy, which remains on hold pending the outcome of the Review.
- The considerations involved in the development of a '*National Strategy for Lifelong Guidance*' will require co-operation and co-ordination across several government departments and the engagement and consultation of all relevant stakeholders.

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- Consideration of all current guidance services across education training and labour market sectors will necessitate a **clear definition of guidance service provision** to include a clarification that ‘guidance’ is delivered in schools, colleges , Universities, DEAPS Intreo and other services for unemployed; disability services, community groups , youth services, prison services, training centres etc.
 - Such a Strategy must consider job roles of all those involved in the delivery of guidance services across the sectors and not a focus solely on the provision of guidance in post primary schools. *ELGPN Guidelines should inform this process.*
<http://www.elgpn.eu/publications/browse-by-language/english/elgpn-tools-no-6-guidelines-for-policies-and-systems-development-for-lifelong-guidance/>
 - The development of the CORÚ legislation requirement for the registration of counsellors and psychotherapists may have some impact on the delivery of counselling in schools by non- CORÚ-registered counsellors as it is not currently envisaged that Guidance Counsellors will be registered with CORÚ.



SOLAS ...

- **Progress Review of the Further Education and Training Strategy 2014 – 2019:**
[http://www.solas.ie/SolasPdfLibrary/FET%20Review_Final_10_5%20\(7\).pdf](http://www.solas.ie/SolasPdfLibrary/FET%20Review_Final_10_5%20(7).pdf)
- **Action Plan 2016-2020: ‘Generation Apprenticeship’** is a major expansion project opening apprenticeship into a full range of twenty-first century industries and skill sets.
- **SOLAS Skills and Labour Market Research Unit (SLMRU)** provides research, data and analysis for SOLAS and the Expert Group on Future Skills Needs (EGFSN).
- **SOLAS co-ordinates the European Globalisation Fund (EGF) programmes** on behalf of the Department of Education and Skills and is the designated Intermediate Body for the European Social Fund Programme for Employment, Inclusion and Learning (PEIL) 2014 - 2020.
- **Skills to Advance: SUPPORTING WORKING LIVES AND ENTERPRISE GROWTH IN IRELAND: 2018-2021 further education & training policy framework for skills development of people in employment** http://www.solas.ie/SolasPdfLibrary/SupportingWorkingLivesEnterpriseGrowth-BackgroundPaper_Sept2018.pdf



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Update on the GDPR

October 2018

Presenter: Hugh Jones



Irish Data Protection Legislation

- Data Protection Act, 1988
- Data Protection (Amendment) Act, 2003
- European Communities Regulations, 2011

GDPR came into force on 25 May, 2018

- Replaced **1988** and **2003** Acts only
- Applies:
 - across all EEA countries (EU + EFTA)
 - where EU citizens' data is processed



Roles under the GDPR

- Data Subject
 - Data Controller
 - Data Processor
 - Joint Data Controller
 - Supervisory Authority (DP Commission)
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- Contracts must be in place
 - Training for staff
 - Appropriate transparency for Data Subjects



The Data Management Principles of the GDPR

1. Fair, Transparent and Lawful Processing
2. Purpose Limitation
3. Minimisation of Processing
4. Data Accuracy/Data Quality
5. Retention, Storage Limitation
6. Security and Confidentiality
7. Liability and Accountability

Impact of the GDPR



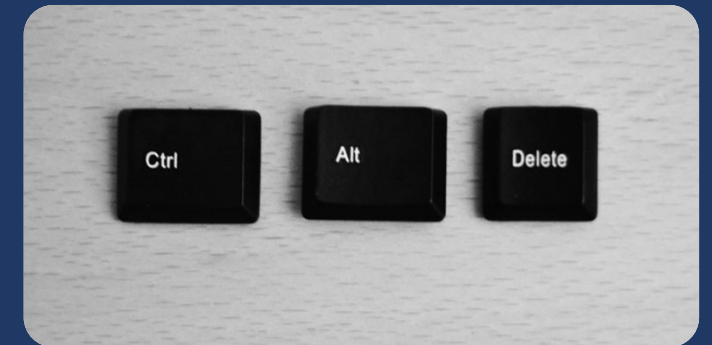
- Review of Data Quality
- “Privacy By Design” / Privacy Impact Assessments
- Process Logging and Evidence of Compliance
- Nomination of Data Protection Officer
- Breach Detection and Notification
- Respect for Individual Rights and Freedoms



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The Data Subject's Rights

- The Right to be Forgotten (Right to Erasure)
- The Right to Restriction of Processing
- The Right to Object to Certain Processing
- The Right to Data Portability
- The Right of Access to One's Personal Data
- Rights in relation to Profiling and Automated Decision Making
- *30-day response time applies to all Data Subject Rights*





Thank-you.

Any Questions?