



Commission of Investigation

Handling of Historical Child Sexual Abuse in Schools

Data Privacy Notice

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1. Introduction

This Data Privacy Notice ('the Notice') gives you information about how the Commission of Investigation into the Handling of Child Sexual Abuse in Day and Boarding Schools ('the Commission') collects, uses and protects personal data.

The Commission takes its data protection obligations seriously. All personal data will be handled in accordance with the General Data Protection Regulation ((EU) 2016/679) ('the GDPR') and the Data Protection Act 2018 ('the '2018 Act').

This Notice explains the following:

- How and why we process your personal data
- The purpose and legal basis for processing your personal data
- How we securely process your personal data
- Your rights under data protection law

Some terms used in this Notice have specific legal meanings. Please refer to the Definitions section of the Notice (below) for an explanation or definition of the relevant terms.

Definitions

- **'Consent'** of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.
- **'Controller'** means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

- **‘Data Subject’** means the identified or identifiable natural person to whom the personal data relates – see also the definition of personal data below.
- **The General Data Protection Regulations** (GDPR) is an EU Regulation relating to data protection which came into force on 25 May 2018. The Regulation is available online.
- **‘Personal Data’** means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- **‘Processing’** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
- **‘Special Categories of Personal Data’** means personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data, data concerning health or data concerning a natural person's sex life or sexual orientation.

2. Purpose

The Commission is investigating:

- How schools, and those responsible for running them, handled concerns about child sexual abuse. This includes investigating any failures to protect children and the reasons for those failures;

- How An Garda Síochána, the Health Service Executive (HSE), and the Department of Education and Youth responded to concerns of child sexual abuse reported to them;
- and
- The impact of sexual abuse on survivors, and what can be learned for the future protection of children.

The Commission is required to make a report to the Minister for Education and Youth on the impact of sexual abuse upon survivors and the learnings for the future in relation to child protection. It is required to adopt a sampling approach in its investigation, as set out in its Terms of Reference.

The Commission shall establish a Survivor Engagement Programme to allow survivors or in certain circumstances, a family member, to recount their experiences of sexual abuse, on an anonymised basis.

A full outline of the matters the Commission is required to investigate can be found in the Commission of Investigation (Handling of Historical Child Sexual Abuse in Day and Boarding Schools), Order 2025 (S.I. No. 388 of 2025). This is referred to as the Commission's Terms of Reference and can be found [here](#).

This Notice relates to the processing of personal data for the purpose of undertaking this investigation and Survivor Engagement Programme.

3. Data Controller and Data Processors

Data Controller

The Commission is the Data Controller for all data relating to identified or identifiable natural persons which is processed for the purpose of conducting the Commission's investigation and fulfilling its Terms of Reference.

The Commission can be contacted by email at info@commissionofinvestigation.ie or by post at:

Commission of Investigation
PO Box 13903
Dublin 2

Data Processors

Different categories of data processors will support the Commission in fulfilling its Terms of Reference, including:

- i. Any Commissioner appointed by the Minister in accordance with the Commissions of Investigation Act, 2004 including any Commissioner appointed to the Survivor Engagement Programme
- ii. Counsel to the Commission
- iii. Solicitor to the Commission
- iv. An investigator to the Commission
- v. A member of staff of the Commission;
and
- vi. A person appointed by the Commission to provide advice or assistance to it in respect of any matter it considers necessary in carrying out its functions in fulfilling its Terms of Reference.

4. Purposes for Processing

The Commission will be required to process personal data for the purpose of carrying out its functions and this may include the processing of sensitive personal data (special category data under Article 9 of the GDPR and section 45 of the 2018 Act).

The purposes for processing can be summarised as follows:

PURPOSE	LEGAL BASIS
Conducting the investigation into how schools and relevant authorities handled concerns of child sexual abuse; the impact of sexual abuse on survivors; and lessons for the future for child protection, and conducting an investigation into the handling by An Garda Síochána, the Health Service Executive (or its relevant successor and predecessor organisations) and the Department of Education and Youth of concerns of child sexual abuse reported to them. The Commission is also directed to report to the Minister for Education and Youth on (a) the impact of sexual abuse upon survivors and (a) learnings for the future in relation to child protection.	Article 6(1)(e) GDPR: Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. (See Data Protection Act 2018 (Section 38(4)(b)) (Commission of Investigation (Handling of Historical Child Sexual Abuse in Day and Boarding Schools)) Regulations 2026) Article 9(2)(g) GDPR: processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law 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. (See Data Protection Act 2018 (Section 51(3)) (Commission of Investigation (Handling of Historical Child Sexual Abuse in Day and Boarding Schools)) Regulations 2026)
Preparing the interim and Final reports of the Commission	Article 6(1)(e) GDPR: Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the

	controller. (See Data Protection Act 2018 (Section 38(4)(b)) (Commission of Investigation (Handling of Historical Child Sexual Abuse in Day and Boarding Schools)) Regulations 2026) Article 9(2)(g) GDPR: Processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law 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. (See Data Protection Act 2018 (Section 51(3)) (Commission of Investigation (Handling of Historical Child Sexual Abuse in Day and Boarding Schools)) Regulations 2026)
Administration of the Commission	Article 6(1)(e) GDPR – processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. (See Data Protection Act 2018 (Section 38(4)(b)) (Commission of Investigation (Handling of Historical Child Sexual Abuse in Day and Boarding Schools)) Regulations 2026) Article 9(2)(g) GDPR: Processing is necessary for reasons of substantial public interest, on the basis of Union or

	Member State law 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. (See Data Protection Act 2018 (Section 51(3)) (Commission of Investigation (Handling of Historical Child Sexual Abuse in Day and Boarding Schools)) Regulations 2026) Article 9(2)(j) GDPR: Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or member State law 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.
Compliance with legal obligations	Art. 6(1)(c) GDPR; Article 9(2)(g) GDPR: In certain circumstances, the Commission may be required by law to report information about child sexual abuse to An Garda Síochána and/or the Child and Family Agency.

5. Categories of Personal Data

The specific personal data, including special categories of personal data, which will be processed by the Commission will vary depending on the method or means of engagement with individuals during the conduct of the investigation. The Commission's working methodology is set out in Part 3 of its Terms of Reference. The type of data which is likely to be processed by the Commission in carrying out its functions is set out below and may include:

TYPE	EXAMPLE/DESCRIPTION	SOURCE
Identity information	• Name • Address • Email address • Phone number	Directly or indirectly
Statements, Submissions & Related Records	• All written statements in any format, provided to the Commission, including questionnaires and survey engagement (including any documents generated from the initial survey, conducted under para. 8(a) of the Commission's Terms of Reference; any documents analysing the survey, or the selection of samples for detailed investigation) • Documents or statements provided by post, email, telephone or any other means. • Documents, notes and records provided through engagement by representative groups or otherwise. • Documents or statements provided by survivors or generated through engagement with the	Directly

	Commission's Survivor Engagement Programme or the investigation stream of the Commission's work. Documents relating to the handling by schools, and persons and entities responsible for, and associated with, schools of concerns of child sexual abuse.	
Reported Complaints of Concerns of Child Sexual Abuse	- Documents received from An Garda Síochána, the Health Service Executive (or its relevant successor and predecessor organisations) and the Department of Education and Youth of concerns of child sexual abuse reported to them pursuant to any request made by the commission or pursuant to any requests and/or directions for Discovery - If applicable, documents received from such other person or entity pursuant to a direction for Discovery or otherwise. Documents received from schools, and persons and entities responsible for an associated with schools, of concerns of child sexual abuse, or reports of same to them, pursuant to any request made by the Commission or pursuant to any requests and/or directions for Discovery	Directly or indirectly
Correspondence	Copies of correspondence in electronic or physical format	Directly

	containing personal data of the sender and/or others	
Staff/Expert Details	Details of individuals supporting the Commission in its work or experts engaged by the Commission in fulfilling its Terms of Reference	Directly

6. Who We Share Personal Data With

The Commission will generally hold its hearings in private. However, it may decide to hold certain hearings in public. In either case it may be necessary to share relevant personal data with the parties to those hearings (and their legal representatives) and witnesses in advance.

Where the Commission receives personal information that raises a current child protection concern, or gives rise to reporting obligations which the Commission may have under the Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012 it may be required to share that information with Tusla (the Child and Family Agency), or, with An Garda Síochána.

Statistics and findings in the Commission's final report may refer to individuals, to the extent that doing so is a necessary function of the Commission.

7. Data Subject Rights

Various rights are associated with the Commission's use of personal data, including:

- **Access:** A data subject can ask to see the personal data the Commission holds about them. There are some exceptions – for example, access may be refused where providing the information would reveal personal data about another

person, or where the Commission is legally prevented from disclosing it or is restricted from doing so.

- **Accuracy:** The Commission aims to keep personal data accurate, current, and complete. If personal data held by the Commission is not accurate or has changed, a data subject may contact the Commission (at the contact details provided below) to have such data updated.
- **Information:** A data subject has the right to receive information on the processing of their personal data by the Commission.
- **Objecting:** In certain circumstances, a data subject may have the right to object to the processing of their personal data.
- **Erasure:** A data subject has the right to erase their personal data when, among other things, personal data has been unlawfully processed. While a data subject has a right to request to have their data deleted, the Commission may not be able to grant the request if such data is subject to the National Archives Act 1986 and no order has been made to dispose of this category of data under that Act.
- **Restriction of processing:** A data subject has the right to request that the Commission restricts the processing of personal data. Personal data held by the Commission will not be used for automated decision-making or profiling.
- **Restriction of rights:** Certain of these rights may be restricted by legislation. In particular, the Government has given the Commission the power to restrict the rights of data subjects, such as the right to object or the right to erasure, where that restriction is necessary for the fulfilment of an objective of the Commission, as long as that restriction is proportionate. This is set out in the Data Protection Act 2018 (Section 60(6)) (Commission of Investigation (Handling of Historical Child Sexual Abuse in Day and Boarding Schools)) Regulations 2026.

For further information concerning data subject rights, please see the Data Protection Commissioner's Guide to Data Subject Rights [here](#).

8. Data Minimisation

The Commission will only collect and process personal data if it is necessary for the purpose of fulfilling its Terms of Reference. The Commission will only collect and process personal data insofar as it is adequate, relevant, and limited to what is necessary for the purposes of carrying out its functions (pursuant to Article 5(1)(c) of the GDPR).

9. Retention of Personal Data

Personal data provided to and processed by the Commission will be subject to the National Archives Act 1986 which provides that records must be deposited with the Department of Education and Youth on completion of the work of the Commission. After 30 years, those records will then be transferred to the National Archives. No record may be disposed of without authorisation from the Director of the National Archives. While you have the right to request to have your data deleted, this request may not be capable of being fulfilled if your data is subject to the National Archives Act 1986.

The Commission will comply with any instruction or authorisation received in that regard. Relevant guidance from the National Archives can be found [here](#).

10. Third Parties

Where personal data is held by the Commission about a person who did not engage directly with the Commission, that person is termed a 'third party'. A third party's personal data may be contained in the records provided by data subjects who contact the Commission with information in relation to a concern or complaint of abuse or otherwise. Personal data about a third party, including special category person data may also be contained in other documents which the Commission receives, such as, through anonymised and/or pseudonymised information received in compliance with a direction for Discovery made by the Commission.

11. Third Country Data Transfer

Data subjects and third parties such as Expert Witnesses may be located outside the European Economic Area and for that reason, the Commission may need to transfer some of the personal data processed by the Commission outside the European Economic Area for the purposes set out in this Notice. Where the country has not been recognised by the European Commission as providing an adequate level of data protection through an 'Adequacy Decision', the Commission will ensure that appropriate measures are in place to comply with its obligations under applicable data protection law governing such transfers. For example, the Commission may rely on Standard Contractual Clauses approved by the European Commission. The Commission may also rely on certain derogations provided for under Article 49 of the GDPR, including: - - - Article 49(1)(a) – where the data subject has explicitly consented to the proposed transfer, after having been informed of the possible risks of such transfers for the data subject due to the absence of an adequacy decision and appropriate safeguards; and Article 49(1)(d) – where the transfer is necessary for important reasons of public interest; Article 49(1)(e) – where the transfer is necessary for the establishment, exercise or defence of legal claims.

12. Integrity and Confidentiality

The Commission is committed to keeping personal data secure. Measures in place to protect personal data include:

- Encryption of personal data stored on computers and electronic devices;
- Secure storage of all paper records, with access restricted to those who need it;
- and
- Appropriate access controls to limit who within the Commission can view particular data.

A data subject may make a complaint to the Data Protection Commission if they are not satisfied with how the Commission has handled their personal data:

Data Protection Commission

6 Pembroke Row

Dublin 2

D02 X963

Ireland

Website: www.dataprotection.ie

Email: info@dataprotection.ie,

Phone: (01) 765 0100 or Lo Call: 1890 252 231

We respect your privacy and will treat personal information confidentially. However, where information comes to our attention that gives rise to a current concern for the protection, safety or welfare of a child now, we may be required to share relevant information with Tusla, the Child and Family Agency, or where information we receive may give rise to a reporting obligation under the Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012 with An Garda Síochána. This sharing of information will be carried out in accordance with our legal and safeguarding obligations.

13. Data Protection Officer

The Commission has appointed a Data Protection Officer (DPO). Under the GDPR, the Data Protection Officer is responsible for advising the Commission on its data protection obligations, monitoring compliance, and acting as a point of contact for the Data Protection Commission and for individuals with data protection queries or concerns.

If you have a question or concern about how the Commission is handling your personal data, you should contact the DPO in the first instance:

Data Protection Officer

The Commission of Investigation into the Handling of Historical Child Sexual Abuse in Day and Boarding Schools

PO Box 13903

Dublin 2

Email: dpo@commissionofinvestigation.ie

14. Updates to This Notice

The Commission will review this Notice regularly and update it where necessary. Any updates will be published on the Commission's website. The Commission encourages data subjects to check the website periodically for any changes.