



**An Coimisiún um
Chosaint Sonraí**
Data Protection
Commission

**Fifth Language Scheme of the Data
Protection Commission**

Prepared in accordance with Section 15 the Official
Languages Act 2003

2020 - 2023

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Chapter 1 Introduction and Background

This scheme was prepared in accordance with Section 15 of the Official Languages Act 2003 (“the Act”) by the Data Protection Commission (DPC). Section 15 provides for the preparation by Public Bodies of a statutory scheme detailing the services they will provide:

- through the medium of Irish;
- through the medium of English; and
- through the medium of Irish and English

and the measures to be adopted to ensure that any service not provided by the body through the medium of the Irish language will be so provided within an agreed timeframe. Section 15 of the Act provides for the review of the existing scheme.

1.1 Preparation and Content of the Scheme

In the preparation of this scheme, due regard has been given to the Guidelines issued by the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media. In addition, there has been a comprehensive process of consultation with relevant stakeholders.

The DPC is guided by the principle that the provision of Irish language services should be based on:

- the level of demand for specific services in the Irish language;
- the importance of a proactive approach to the provision of such services; and
- the resources, including human and financial resources, and the capacity of the body concerned to develop or access the necessary language capability.

The DPC published a notice on its website under Sections 13 and 15(3) of the Act on 17th August, 2020, inviting submissions in relation to the preparation of the draft scheme from interested parties. No submissions were received in relation to this scheme.

This scheme has been developed taking account of the views expressed by the office of An Coimisinéir Teanga during the lifetime of the fourth scheme. It also reflects the views and suggestions put forward by DPC staff. The DPC appreciates the time and effort put in by those concerned in this process.

This scheme complements the principles of Quality Customer Service and the DPC’s Customer Charter. It has been formulated with the intention of ensuring that all relevant obligations under the Official Languages Act 2003 by the DPC will be fully addressed on an incremental basis, through this and future schemes.

This scheme is predicated on all of the commitments in any previous scheme having been implemented.

1.2 The content of the Language Scheme

The DPC is committed to meeting the obligations set down in this the fifth scheme of the DPC under the Official Languages Act 2003. Throughout the lifetime of the first four schemes, the DPC continued to improve the availability and levels of services available in Irish. The DPC produces all leaflets, guidance documents and webforms bilingually. The DPC also has an Irish language version of our website with most content now available bilingually. All of our online services are also available bilingually.

1.3 Commencement date of Scheme

The Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media has confirmed this scheme. The scheme commences with effect from 21 December 2020, and shall remain in force for a period of three years from this date or until a new scheme has been confirmed, by the Minister pursuant to Section 15 of the Act, whichever is the later.

Chapter 2 Overview of the Data Protection Commission

2.1 Our Mission

Safeguarding data protection rights by driving compliance through guidance, supervision and enforcement.

2.2 What we do

The Data Protection Commission, which was established under the Data Protection Act 2018, is the national independent supervisory authority in Ireland with responsibility for upholding the fundamental right of the individual to have their personal data protected. The DPC's statutory powers, functions and duties derive from the Data Protection Act 2018, General Data Protection Regulation (GDPR), Law Enforcement Directive, as well as from the Data Protection Acts 1988 to 2003 which, inter alia, gives effect to Council of Europe Convention 108.

Using its statutory powers as it considers appropriate, the Data Protection Commission:

- examines complaints from individuals in relation to potential infringements of data protection law;
- conducts inquiries and investigations into relevant cases regarding infringements of data protection legislation and takes enforcement action where necessary;

- promotes awareness amongst members of the public of their rights to have their personal information protected under data protection law;
- drives improved awareness and compliance with data protection legislation by data controllers and processors through the publication of high-quality guidance, proactive engagement with public and private sector organisations;
- through consultations with organisations, assists in identifying risks to personal data protection and offers guidance of best practice methods to mitigate against those risks; and
- co-operates with (which includes sharing information with) other data protection authorities, and acts as Lead Supervisory Authority at EU level for organisations that have their main EU establishment in Ireland.

2.3 Our customers and the services we provide to them

The DPC has a very broad and multi-layered remit, in terms of the range of its supervisory, advisory, enforcement and awareness-raising functions, and also in terms of its scope in monitoring the compliance of processing of personal data by every type of organisation based in Ireland, in both a national and international context.

Under the GDPR's One Stop Shop provisions, the DPC acts as lead supervisory authority at an EU level for many of the technology, internet and social media companies that have their European headquarters in Ireland. This places the DPC in a very central role in safeguarding the data protection rights of many millions of individuals across the EU. Consequently, in many circumstances the DPC's customers and audience are not located in Ireland.

Customer Service

Customers of the DPC are primarily data subjects (i.e. individuals) or data controllers (an organisation that collects and controls personal data) or a data processor (an organisation carrying out a task involving the use of personal data, on behalf of a data controller) or a representative of one of these. We aim to deliver a service efficiently and effectively, with courtesy and the minimum of delay and we guarantee to respect the rights of all parties in the delivery of the service. The following are examples of the services we provide to the different types of customers:

Individuals

The DPC upholds the data protection rights of individuals. Services provided include:

- answering queries and providing information via our front line Information and Assessment Unit;

- provision of advice and guidance on data protection rights via our website, social media, and other means of publishing; and
- dealing to the extent appropriate, with complaints from individuals who believe their data protection rights have been infringed in accordance with the DPC's case handling procedures as set out in the Data Protection Act 2018.

In addition to upholding the data protection rights of individuals, the DPC is subject to legislation that involves the provision of services to individuals:

- the DPC is partially subject to Freedom of Information legislation and responds to Freedom of Information requests; and
- the DPC is a prescribed person under Protected Disclosures legislation and responds to protected disclosures submitted.

Organisations

The DPC has supervisory, monitoring, advisory, enforcement, and awareness-raising functions in relation to organisations that process personal data. This includes both public sector and private sector organisations. Services provided to organisations include:

- answering queries and providing information via our front line Information and Assessment Unit;
- provision of advice and guidance on data protection obligations via our website, social media, and other means of publishing and dissemination;
- active engagement with organisations and sectoral groups via the DPC's consultation functions;
- providing observations to proposed regulatory/legislative measures; and
- organisations that process personal data have a number of responsibilities under data protection legislation that require engagement with the DPC.¹

Extent to which services are already available through Irish

The primary objective of the Official Languages Act 2003 is to ensure better availability and a higher standard of public services through Irish. Significant commitments were made in our earlier Language Schemes to improve the level of service in Irish. All of these commitments have been delivered including the continuing development of content on the Irish language version of our website developed during the fourth scheme, new online services being made available bilingually simultaneously and all leaflets, guides and forms produced by the DPC being made available bilingually.

¹ For the DPC's guidance on the responsibilities of organisations under the GDPR please see <https://www.dataprotection.ie/en/organisations>

The objective of this fifth scheme is to continue the delivery against these commitments and build on the progress achieved across the organisation to date, as resources allow. The DPC will continue to monitor the level of queries, complaints and requests received to ensure that the services provided under the scheme fully meet customer demand in a planned and accessible way.

Chapter 3 Means of Communication with the Public

The DPC communicates with the public through:

- written means, including electronic communications; and
- telephone communications.

3.1 Publications

Means of Communication with the Public / Information to the Public

The DPC communicates with the general public through:

- Information Leaflets;
- Guidance Documents;
- Podcasts;
- Press Releases;
- Website;
- Speeches and presentations made at events by the Commissioner and other staff;
- Media Interviews & Information Campaigns;
- Consultations with various organisations;
- Annual Report and other publications; and
- Social Media.

The Annual Reports, most guidance documents and information leaflets are bilingual.

The majority of DPC press releases are issued bilingually; however, speeches, presentations and media interviews by the Commissioner or by senior officials of the DPC are available in the language(s) in which they were delivered.

3.2 Electronic communication

Our Irish language website, www.cosantasonrai.ie, now contains detailed content in Irish. Our full suite of online webforms, such as our query forms, complaint forms, DPO registration forms, and breach notification forms, are available in Irish.

3.3 Services currently available through the medium of English only, Irish only, and bilingually

Description of service	English only	Irish only	Bilingually	Notes
Publication of audited accounts or financial statements, annual reports and strategy statements			X	
Publication of leaflets, forms and guides			X	
Publication of press releases			X	Other than in circumstances involving statements made at short notice and where the translation of the material (especially technical content) within the timescale required is not possible.
FOI Publication Scheme			X	
Website			X	
Guidance material, brochures, etc published on the website			X	With the exception of technical documents, or documents not originating from the DPC.
Online services			X	
Development of new online services			X	
Digital multimedia content (e.g. podcasts)	X			
Telephone service			X	In the event no Irish speaker is immediately available, arrangements for a return call will be made.
Telephone greeting			X	
Spokesperson available to media			X	
Written correspondence			X	
Stationary			X	
Publication of speeches, presentations, or interviews				Only in language in which original speech was given.
Signage			X	

Chapter 4 Enhancement of Services to be provided bilingually

4.1 Enhancement of services

The DPC's focus in this fifth scheme will be to continue to build in a consistent manner the range of written and electronic means of communication available bilingually, taking into account the level of demand for service. In particular, regard will be given to any new video, audio material and podcasts developed by the DPC. Equivalent Irish and English versions of same may be prepared and published.

The DPC will also continue its focus on developing the competency of staff to facilitate interpersonal Irish language service delivery on a general level.

4.2 General commitment to Irish Language service development

The DPC is committed to encouraging the development of Irish language skills across all areas of the DPC to facilitate the progressive development of a quality one-to-one customer service in Irish to meet the demand for such services.

The DPC already responds to any communications received in Irish in the same language but we will continue to develop the Irish language skills of staff to facilitate day-to-day interpersonal service delivery through increasing the relatively small core group of staff with sufficient Irish language capability and confidence to deliver these services.

The DPC will carry out quality assurance reviews on its existing levels of service delivery in Irish, in order to assess the implementation of these services and identify opportunities for service enhancement. Details of these reviews will be published in the DPC's Annual Report.

4.3 Publications

Reports, leaflets, forms and guidance documents will continue to issue bilingually.

The DPC is partially subject to the Freedom of Information Act 2014 in relation to records concerning the general administration of the office. The organisation's FOI Publication Scheme will continue to be available bilingually on our website. Updates to the FOI Publication Scheme will be made bilingually. The DPC FOI Disclosure Log will continue to be available bilingually, and all updates to the Disclosure Log will be made bilingually.

4.4 Electronic communication

The quality and quantity of the information available in Irish on our website has increased significantly over the last number of years. The DPC will continue to provide a high standard of Irish language service through this channel and further enhance the quality of this service as follows:

- the DPC website will continue to have all guidance documents, leaflets and brochures available bilingually;
- new guidance material published on the website (with the exception of technical documents or reference material not originating from the DPC) will continue to be available bilingually;
- our full suite of online services will continue to be available bilingually (any new online services developed for the public will be available bilingually as appropriate);
- Irish language templates of frequently used letters/documents will continue to be developed and reviewed in line with our services, to encourage staff to participate in providing the Irish service from the outset of the scheme; and
- the existing handbook of relevant vocabulary/phraseology will be updated on an ongoing basis to reflect changes in our regulatory environment.

4.5 Telephone Service

A small number of callers to the DPC seek to have their business conducted through Irish. The DPC has a designated helpdesk facility which is operated by a number of staff on rotation. All designated helpdesk staff are aware of the various staff members who can facilitate a callers request to have a query dealt with through Irish. They will forward the call to the relevant person in a timely manner. If the relevant staff member is not available, the person receiving the call will take the caller's name, number and details of the query and will ensure that an Irish speaker returns the call.

In addition, we will continue to provide a bilingual telephone greeting by helpdesk staff, including giving the name of the office in both Irish and English. We will also continue to offer staff periodic training to ensure that they can support these services. Staff able to provide a service through Irish will continue to leave a bilingual version of their voice mail messages.

4.6 Face to Face Contact

The DPC does not operate a public counter and may only meet with customers in exceptional circumstances and by appointment only. In such circumstances, if customers require a service in Irish, this will be facilitated in meeting that staff member who will be assisted if necessary by a staff member competent in the language.

4.7 Media Engagement

We will continue to commit to issuing all press releases simultaneously bilingually, other than in circumstances involving statements made at short notice and where the translation of the material (especially technical content) within the timescale required is not possible.

A spokesperson for the DPC will continue to be available to the media to provide an Irish service, if advance notice is provided.

Chapter 5 Developing Staff Competence

5.1 Commitment

DPC staff are aware of their commitments under the Official Languages Act 2003 and this Statutory Scheme to deliver a high quality service through Irish. The DPC will continue to ensure that staff appreciate the thrust of the Act, understand the immediate legal requirements and the commitment to deliver a progressively enhanced service and see that service as an integral part of the commitment to quality client service.

The successful delivery of our services in Irish is very dependent on the ability and willingness of staff to do so. Currently, the DPC has a small cohort of staff who have volunteered to provide an Irish language service to the extent that their competence allows. The DPC will continue to encourage staff to use their existing competence and make staff members aware of any training opportunities that arise in this area. If any staff member shows an interest or is willing to undergo training to become competent in this area, we will continue to provide training and support to them subject to available resources.

Training needs will continue to be identified in the course of the Performance Management Development System and needs will be incorporated into individual and generic training programmes as appropriate.

5.2 Developing Irish Language capabilities in the DPC

Seachtain na Gaeilge

The DPC is committed to promoting cultural initiatives which support and encourage the use of the Irish language. In this way, the DPC will continue to advocate activities organised during Seachtain na Gaeilge over the period of this Scheme.

Internal Communication Staff Weekly Bulletin

The DPC's weekly electronic newsletter and the Intranet will be used to provide Irish language-related information to all staff.

Chapter 6 Monitoring and Revision

The DPC's [Senior Management Committee](#) will keep the operation of the scheme under review by way of bi-annual progress reports provided by the Head of Corporate Affairs, who has responsibility for the day-to-day operation of the scheme, together with ongoing monitoring of the level of demand and delivery of commitments in the various business units of the DPC.

Please see our [organisation chart](#) for a breakdown of the DPC's business units.

Chapter 7 Publicising of Agreed Scheme

The provisions of the scheme will be brought to the attention of the public by means of the following:

- the scheme itself and subsequent updates on the delivery of commitments on particular services will be published on our website and reported upon in our Annual Report.

In addition, the DPC will take every opportunity in its day to-day interactions with customers to promote and publicise the services it provides through Irish including:

- directly informing customers on a pro-active basis of the option of dealing with the DPC through Irish, for example, on the website and in publications drawing attention to the availability of services in Irish; and
- the insertion of footnotes on selected guidance documents, leaflets and webforms explaining that these documents are also available in Irish (in cases where bilingual printed material is not produced under a single cover).

A copy of this scheme has been forwarded to the Office of An Coimisinéir Teanga.