



Circular Number: 0043/2026

To: Boards of Management, Principal Teachers and Teaching Staff of Post-Primary Schools, Special Schools and Chief Executives of ETBs

**Joint Data Controller Arrangement
between
Department of Education & Youth
and
Boards of Management, Principal Teachers and Teaching Staff
of Post-Primary Schools, Special Schools and Chief Executives
of ETBs**

1. Purpose of this Circular

- 1.1 The purpose of this Circular is to confirm the role of the Department of Education and Youth and Awarding Bodies (schools and centres of education) as Joint Data Controllers for Junior Cycle Profile of Achievement (JCPA) processing activities.
- 1.2 The purpose of the joint controller arrangement is to confirm the relationship between the Department of Education and Youth and the Boards of Management, Principal Teachers and Teaching Staff, Special Schools and Chief Executives of ETBs with regard to processing of student achievement data for JCPA for the purposes of Section 79 of the Data Protection Acts 1988 to 2018 and Article 26 of Regulation (EU) 2016/679 (GDPR).
- 1.3 The Department and the Awarding Bodies are Joint Data Controllers in relation to the data of students for certification activities. This means that both the Department and the Awarding Bodies jointly determine the means and processing of a student's personal data in relation to achievement data used for the purpose of certification. It is a requirement under the GDPR that joint controllers set out their respective responsibilities in a transparent manner and that is the purpose of this Circular.
- 1.4 It should be noted that this Circular does not alter existing arrangements which have been in place on a practical level heretofore or involve changes to current work practices or GDPR policies in schools.



2. Definitions

- 2.1 “The Department” means the JCPA team in the Curriculum & Assessment Policy Unit, Department of Education & Youth;
- 2.2 “Awarding Body” means the Post-Primary Schools, Special Schools, ETBs, and other examination centres who produce Junior Cycle Profile of Achievements;
- 2.3 “JCPA” means the Junior Cycle Profile of Achievement;
- 2.4 “PPOD” means Post-Primary Online Database;
- 2.5 “JCAD” means the Junior Cycle Awards Database, the database used for JCPA production for schools or candidates who are not in the PPOD;
- 2.6 “The Data” means such personal information as is processed;
- 2.7 “The Minister” means the Minister for Education & Youth;
- 2.8 “Personal Data” means any information relating to an identified or identifiable natural person;
- 2.9 “Data Subject” means the identified or identifiable natural person whose personal data is being processed: 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;
- 2.10 “Controller” means the entity which, alone or jointly with others, determines the purposes and means of the processing of personal data;
- 2.11 “Joint Controller” means where two or more entities jointly determine the purposes and means of the processing of personal data;



- 2.12 “Data Processor” means an entity which processes personal data on behalf of the controller;
- 2.13 “DP Acts” means the Data Protection Acts 1988 to 2018;
- 2.14 “GDPR” means the EU General Data Protection Regulation 2016/679;
- 2.15 The term “Article” refers to an article in the GDPR;
- 2.16 The “parties” is a reference to the Department and Awarding Bodies as joint data controllers under this arrangement

3. Subject Matter and Purpose of the Processing

The subject matter of the processing is achievement data of Junior Cycle students and examinations candidates. The purpose is to enable Awarding Bodies to produce JCPAs for their students and external examination candidates who sit examinations in the awarding bodies. For example, an awarding body processes data about a student on PPOD or JCAD to enable the creation of a JCPA for the student.

4. Type of Personal Data and Categories of Data Subject

The personal data which is the subject of this arrangement is that relating to the achievement of the student/candidate concerned, including Name, Date of Birth, Student identification number, School, Exam No, Education Programme, Subjects & Courses, assessment results, free text boxes which may contain educationally relevant material (guidance will be provided regarding avoiding the input of information of a sensitive nature). With the consent of the individual, special category data relating to special educational needs is included.



The category of data subject is the students of special schools, voluntary secondary, community, and comprehensive schools, as well as external candidates who may sit examinations in a particular venue/exam centre.

5. Functions and obligations of the Awarding Body

- 5.1. The Awarding Body processes the personal data of student/candidate in order to have students recognised for a broad range of educational and other achievements during their Junior Cycle. This record may be required in some instances for progression in further and higher education settings. In particular, the Awarding Body will collect data to enable the Department to:
- Generate a copy of a JCPA for the school to download;
 - Utilise history to support Awarding Body in recovering copies of previous JCPAs if they lose the original copy they have on file; and
 - Provide data to Department of Education and Youth in relation to achievement at Junior Cycle.
- 5.2. In accordance with Article 6.1 (e) and Article 9.2 (g) of the *GDPR* as well as the *Education Act, 1998*, sections 6, 7, & 9; *Education (Miscellaneous Provisions) Act, 2015*, section 7; and the *State Examinations Commission (Establishment) order, 2003*, section 6, the Department in discharge of its obligations must have regard for:
- Education Acts;
 - The Data Protection Acts; and
 - The GDPR.

6. Functions and obligations of the Department

- 6.1. The Department processes the personal data of school students' achievement in order to fulfil the obligation of the school to provide an



award on the achievement of the students undertaking the programme with the body. In particular, the Department will use data collected to:

- Generate a copy of a JCPA for the school to download;
- Utilise history to support Awarding Body in recovering copies of previous JCPAs if they lose the original copy they have on file; and
- Provide data to Department of Education and Youth in relation to achievement at Junior Cycle.

6.2. In accordance with Article 6. 1(e) and Article 9.2 (g) of the *GDPR* as well as the *Education Act, 1998*, sections 6, 7, & 9; *Education (Miscellaneous Provisions) Act, 2015*, section 7; and the *State Examinations Commission (Establishment) order, 2003*, section 6, the Department in discharge of its obligations must have regard for:

- Education Acts;
- The Data Protection Acts; and
- The GDPR.

7. Legal basis to share personal data between organisations

7.1. The legal basis for the sharing of this personal data is Article 6. 1(e) and Article 9.2 (g) of the *GDPR* as well as the *Education Act, 1998*, sections 6, 7, & 9; *Education (Miscellaneous Provisions) Act, 2015*, section 7; and the *State Examinations Commission (Establishment) order, 2003*, section 6.

8. Joint Data Controllers

8.1. Article 26 of the *GDPR* defines a joint controller as follows: "*where two or more controllers jointly determine the purposes and means of processing, they shall be joint controllers*". The Department together with the Awarding Body are deemed to be joint data controllers in respect of the data processed. This Circular outlines the Joint Controller arrangement between the Department and schools.

8.2. The purpose of this arrangement is to define the relationship and respective obligations to data subjects of both the Awarding Body and the Department. In so doing both parties have determined their



respective responsibilities for compliance with the obligations under the DP Acts and GDPR, in particular as regards the exercising of the rights of the data subject and their respective duties to provide the information referred to in Articles 13 and 14 of the GDPR.

- 8.3. The parties agree not to transfer the data outside of the European Economic Area without putting appropriate safeguards in place, as set out in the GDPR.
- 8.4. The parties will ensure that the personal data covered by this arrangement will not be further processed in a manner that is incompatible with the purposes for which it was originally collected.
- 8.5. The parties are permitted to appoint Data Processors to process personal data under this arrangement, in accordance with Data Protection legislation. Neither party shall engage a data processor without the agreement of the other party.

9. Obligations of the Department and the Awarding Body as Joint Data Controllers

- 9.1 For the purposes of this arrangement both parties jointly assume the role of “Data Controller” within the definition of the DP Acts and shall have responsibility for ensuring compliance with the DP Acts and GDPR. Each party shall respond to requests made to that party from data subjects regarding the data held by that party. Without prejudice to the generality of the foregoing, the obligations of both parties under this arrangement shall extend to:

Data compliance

- 9.1.1 Compliance with relevant sections of the DP Acts in force from time to time.
- 9.1.2 Compliance with the GDPR.

Fair and Lawful Processing

- 9.1.3 Ensuring compliance with the DP Acts in respect of fair and lawful processing and Articles 5 (principles relating to the processing of personal data), 6 (lawfulness of processing), 7 (conditions for



consent) & 9 (processing of special categories of personal data) of the GDPR.

Data Subject Rights - Dealing with Requests under Article 15 - 22 of the GDPR

9.1.4 Dealing with requests under Articles 15 - 22 of the GDPR regarding the rights of data subjects.

Transparency

9.1.5 Complying with Articles 13 and 14 of the GDPR in respect of information to be furnished to individual applicants.

Accountability

9.1.6 Maintaining suitable records to demonstrate compliance with the GDPR and DP Acts in accordance with Article 24 of the GDPR.

Data Security & Data Breach

9.1.7 The use of appropriate security measures for the data as per Article 32.

9.1.8 The notification of any data breach in accordance with Article 33 and where applicable, under Article 34. Whichever party holds the data which is the subject of the breach will be responsible ensuring compliance with the DP Acts and GDPR and for informing and engaging with the Data Protection Commission where appropriate.

Data Protection Officer

9.1.9 The appointment of a designated Data Protection Officer as per Article 37. The Data Protection Officer for the Department can be contacted at:

Data Protection, FOI and Records Management,
Department of Education and Youth
Cornamaddy, Athlone, Co. Westmeath, N37 X659.
Telephone: +353(0)90 648 3907



Email: dpo@education.gov.ie

Disclosures

9.1.10 The parties will not disclose any of the personal data which they process unless there is a legal basis for such disclosures and, subject to any regulations restricting the data subject's rights under the DP Acts, the data subjects will be informed by the parties of these disclosures in advance.

Data Storage

9.1.11 Schools will retain the JCPA for 7 years after student turns 18 for distribution is the school rule for maintaining JCPA copies. In order to best assist schools with this, the Department will retain copies of JCPAs for at least 30 years. The Department would retain some data indefinitely for statistical purposes. The data will be retained for the lifetime of the student. This is as laid out in the Privacy Notice in Appendix 1. Please note that Department's obligations under the National Archives Act, 1986 may require it to retain the data for archiving purposes. See guidance from the National Archives: [National Archives GDPR Guidance](#).

10 Administrative Matters

10.1 The parties as joint data controllers, shall:

10.1.1 Assume liability for all Data in respect of Sections 141, 142 and 143 of the DP Acts, Articles 79 and 82 of the GDPR and the Law of Torts.

10.1.2 Deal with all requests under Chapter 4 of the DP Acts regarding rights and the restriction of rights of data subjects and Articles 13 to 22 of the GDPR. Responses thereto shall be final, subject to review only by the Data Protection Commissioner or Courts as appropriate.



11 Contact Details for Data Subjects

- 11.1 Data subjects wishing to make contact with the data controllers can:
- contact the Awarding Body i.e. the relevant Recognised Primary, Secondary, Community and Comprehensive Schools or the Chief Executive of the relevant Education and Training Board (in respect of community national schools) or
 - contact the Department at JCPA Team, Curriculum & Assessment Policy Unit, Department of Education & Youth, Marlborough Street, Dublin 1, D01 RC96

Email: JCPA@education.gov.ie

Issued by:

Celeste O'Callaghan
Principal Officer
Curriculum & Assessment
Policy Unit

Tara Carton
Principal Officer
Data Protection,
FOI and Records Management

Date Issued XX April 2026



Appendix 1 – Privacy Notice

PRIVACY NOTICE - Junior Cycle Profile of Achievement Award For the information of parents/guardians of students who will receive a Junior Cycle Profile of Achievement (JCPA) award

Introduction

It is required by data protection law that before Awarding Bodies (schools) commence processing of any personal data a school must first bring a privacy notice on how the student's personal data will be processed to the attention of parents/guardians. This privacy notice relates to those students who have undertaken **Junior Cycle at Level 3, Level 2 or Level 1** of the National Qualifications Framework. Junior Cycle Level 3 includes exams set by the State Examinations Commission (SEC), where the provisional results are provided to schools and students in the September following the sitting of the State examinations. Junior Cycle Level 2 and Level 1 Learning Programmes are designed for students with particular special educational needs and is broadly aligned to Level 2 and 1 of the National Framework for Qualifications (NFQ) respectively. In some instances students will undertake a combination of a Level 1, 2 and Level 3 programme.

Process

This document sets out the information in relation to how students' Junior Cycle assessment data will be used to produce the Junior Cycle Profile of Achievement (JCPA). The JCPA has replaced the Junior Certificate award. Where student details are currently maintained on the Department's Post-Primary Online Database (PPOD¹) the JCPA will be produced by schools via PPOD. Where student details are not held on PPOD (e.g. special schools) the JCPA will be produced via the Junior Cycle Assessment Database (JCAD²). Schools will be enabled to record additional assessment student data on PPOD or JCAD for the purpose of producing a **Junior Cycle Profile of Achievement** (JCPA) for each of their students who completes the Junior Cycle.

This approach enables

¹ Please see separate Privacy Notice on general use of P-POD at <https://www.gov.ie/en/service/43ddb5-post-primary-online-database-p-pod/#data-protection>

² JCAD is the DES database developed to facilitate the production by Special Schools and Centres of Education of the JCPA.



- a. Awarding Bodies (schools/centres of education) to record on PPOD or JCAD the descriptors awarded in Classroom-Based Assessments in subjects and short courses and also reflect achievement in Priority Learning Units (PLUs) for students with special educational needs.
- b. the State Examinations Commission (SEC) to provide state examinations final results electronically to the Department of Education and Youth for upload to PPOD and JCAD and association of these results with each student.
- c. the Department of Education and Youth to facilitate the schools/centres of education to produce the JCPAs for each student electronically .
- d. Awarding Bodies (schools/centres of education) to complete the 'other areas of learning' section of the JCPA for each student and deliver the award to students. The 'other areas of learning' section of the JCPA allows the school/centre of education to report on other learning experiences and events that the student has participated in outside the formal timetabled curriculum. The data entered at school level for 'other areas of learning' will not be stored on the Department's database.
- e. following production of the JCPA for each student the Awarding Bodies (school/centre of education) to retain a copy of the full JCPA for each student. The Department will retain copies of JCPAs for at least 30 years. The Department would retain some data indefinitely for statistical purposes. The data will be retained for the lifetime of the student. Please note that Department's obligations under the National Archives Act, 1986 may require it to retain the data for archiving purposes. See guidance from the National Archives: [National Archives GDPR Guidance](#)
- f. the data to be anonymised once JCPAs are produced and used in statistical analysis. No identifiable individual data is used by the Department except to provide, on request, draft copies of the JCPA to the Awarding Bodies (schools/centres of education).

It should be noted that only a small number of staff within the Department of Education and Youth has access to the personal data and then solely to provide technical support to your school/centre of education when it is using the PPOD or JCAD application.

Student data as set out below will not be shared with anyone else other than another post-primary school in which the student enrolls.

Pursuant to Section 3 and Section 4 of the Data Protection Acts, you may access your personal data and request a copy of your data held on PPOD by contacting your school, or if you are a former student by contacting the Department of Education and Youth.

Under data protection law you may object to the processing of your data or seek to have the data corrected.



More detail on use of personal data by the Department is contained in the FAQ on PPOD available on <https://www.education.ie/en/The-Department/Data-Protection/FAQ.html>.

The Department of Education and Youth Data Controller for PPOD is the Principal Officer in the Parents, Learners and Database Section within the Department who can be contacted by e-mailing ppodhelpdesk@education.gov.ie

The Data Protection Officer for the Department may be contacted by e-mailing dpo@education.gov.ie



List of post-primary student personal data³ recorded by Awarding Bodies (post-primary schools, special schools, and centres of education) on PPOD or JCAD for the purpose of producing the Junior Cycle Profile of Achievement (JCPA).

Sensitive Personal Data for some students with a special education need

- Priority Learning Unit descriptor
- Priority Learning Unit medium – Irish/English
- Priority Learning Unit outcome

Written consent should be sought from the parents/guardians of students with special educational needs (see template below).

For each subject where an examination held by the State Examinations Commission was taken

- Level taken in the final examination
- Outcome of Classroom-Based Assessments 1 and 2 (NB Only if recorded on PPOD)
- Predicted medium through which final examination taken *Irish/English*
- Overall grade awarded by State Examinations Commission
- Annotation of result to indicate a subject was assessed except for a particular element e.g. aural is missing

For each short course taken

- Title
- Level of Learning Programme - 2 or 3
- Medium Irish/English
- Outcome of Classroom- Based Assessment

In addition the following data provide by the State Examinations Commission will be printed on your JCPA

- Forename and Surname – as provided to the State Examination Commission
- Date of Birth – to aid identification whether there are more than two students with the same name
- State examination candidate number – to assist with any follow up query with State Examinations

Information on other personal data stored outside of PPOD and used by your school in producing your JCPA is available in your school's *Data Protection Policy* a copy of which may be obtained from your school.

³ Details on retention periods, legal basis for collection by the Department and the school are contained in the Fair Processing Notice for PPOD



Information on the all other personal data of students collected and processed by schools using PPOD is available in the ***Fair Processing Note for PPOD*** copies of which are available at www.education.ie



Appendix 2 – Consent Form

CONSENT FORM for the recording of assessment data relating to the Level 2 Learning Programmes and Level 1 Learning Programmes for students with particular special educational needs.

NAME OF SCHOOL

ADDRESS OF
SCHOOL

NAME OF STUDENT

Date of Birth of Student

I consent to details of the outcomes of any Level 2 Learning Programmes and Level 1 Learning Programmes undertaken by the above named student being recorded on the Department of Education and Youth PPOD or JCAD computer applications in order that the above Awarding Body (school) may include this information on the student's Junior Cycle Profile of Achievement (JCPA).

Signed

PRINT NAME

DATE

Please return completed forms to the student's school

This form should be retained by the school for the duration of the student's enrolment and made available for inspection by an officer of the Department or the Office of the Data Protection Commissioner, if required.