



LG 02/2018

1 June 2018

Re: Training needs of elected members

Dear Chief Executive,

As you are aware the EU's General Data Protection Regulation (GDPR) came into force on 25 May 2018, providing a new legal framework governing the way personal data is gathered, stored and used. While the Principles of Data Protection that have been in place up to now remain largely unchanged, GDPR raises the bar for data protection, with an emphasis on:

- *Giving Data Subjects (individuals) more control*
- *Making Data Controllers/Processors more accountable*
- *Making personal data processing more transparent*
- *Reducing personal data security vulnerabilities and 'risks to data subjects'*

We are shortly also likely to see the enactment of a new **Data Protection Act** which is currently in Bill form. The new Act will replace provisions contained under the Data Protection Acts 1988 and 2003, and specify areas of GDPR that allow for national discretion.

It is recognised that there is a large volume of correspondence that is exchanged between elected members and their local authorities in relation to elected members carrying out their public representational role by making representations on behalf of individuals or community groups on a wide range of issues. It is important that elected members are aware of their own obligations under the GDPR framework as well as the obligations of Council employees with whom they are interacting with the shared goal of providing essential public services.

With this in mind I ask that you take under consideration whether it would be possible to facilitate elected members in attending any appropriate in-house GDPR training courses, presentations, etc, that may be organised by your local authority to address employee training needs. The attendance of elected members at in-house training events is encouraged under Part V.B.5 of circular LG 01/2018, concerning elected member expenses, -

5 Training and development by local authorities

- (1) *Local authorities themselves are requested to consider on an on-going basis their own potential to meet a greater proportion of the training and development needs of members. Local authorities, particularly the larger ones have -*

- a) *structures in place for the training and development of staff that could be extended to also meet the needs of councillors, and*
 - b) *much in-house expertise across the range of local authority policy areas.*
- (2) *Local authorities should also consider the possibilities for cooperation and coordination between themselves in this regard.*

The Department is aware that some local authorities may have already facilitated their elected members in attending GDPR training courses and would strongly encourage others to facilitate suitable training for elected members including the possibility of incorporating with staff training sessions.

Out of Region Training

The Association of Irish Local Government (AILG) annual training programme for elected members was successfully delivered through a series of training modules held at venues throughout the country during 2017 and we are now midway through the rollout of the 2018 programme. An integral part of these training modules is the attendance of guest speakers drawn from a range of Government Departments and Agencies who share their knowledge and experience in their relevant fields of expertise with elected members. Subjects that have been the focus of training programmes in 2017/18 have included the National Planning Framework, emergency planning and joint policing committees. The Department has received positive feedback from both elected members and guest speakers concerning the quality and value of these training events.

The Department recognises that the targeted in service training of elected members is important. As such it is desirable that the optimum number of elected members should be provided with the opportunity to attend AILG training events. While it remains the preferred option for councillors to attend weekday training events in their designated regional assembly areas, it was also previously agreed that a limited number of weekend training events would be supported in the interests of flexibility and to maximise uptake, particularly for elected members who are employed full-time in addition to their duties as public representatives.

For the purpose of clarification, I want to take the opportunity to confirm that the out of region training scheme for elected members to attend AILG run training course remains in place on the same basis as has applied in previous years. That is to say, approval is given to the attendance of an elected member at weekend training events outside of their own region on the following basis -

- attendance at ONE 'in service' training event that is held on a weekend outside of their own region up to 30 June 2018, with expenses to be payable in respect of the location where training is undertaken; and
- attendance at ONE 'in service' training event that is held on a weekend outside of their own region between 1 July and 31 December 2018, with expenses to be payable in respect of the location where training is undertaken.

'Unused' weekend attendance during the first half of the year may not be carried forward to the second half of the year.

In the case of all other attendances, where an elected member chooses to attend a training seminar at a location other than that assigned for members of his/her authority, any travel and subsistence that may be payable shall not exceed the amount that –

- would have been payable if attending at the assigned location, or
- payable in respect of the location where training was undertaken,

whichever is the lower.

Authorisation for elected members to attend training events is a reserved function of an elected council and is subject to the maximum monetary amounts set out in the *Local Government (Expenses of Local Authority Members) Regulations 2014* (S.I. No. 236 of 2014).

In order to facilitate the smooth operation of training events, as well as the oversight of local authority training budgets, elected members should seek advance approval and details of all attendees should be promptly made available to the AILG. Training events will normally be advised by the AILG to elected members in sufficient time to facilitate consideration of attendance on council agendas. However, in circumstances where a training event is scheduled at short notice for a date prior to the next meeting of the Council, or where an elected member could not reasonably have sought advance authorisation, then the Council may apply its own discretion to consider retrospective approval.

Please bring this circular to the attention of your elected members.

If further clarification is sought in relation to these matters, please contact Grant Couper at grant.couper@housing.gov.ie or Gary McGuinn at gary.mcguinn@housing.gov.ie.

Yours sincerely,



Gary McGuinn
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Local Government Oversight and Governance

To: the Chief Executive of each local authority
Cc: the AILG and LAMA

