

8 July 2021

Mr Sam Keenan
Committee Secretariat
Committee of Public Accounts

BY EMAIL: pac@oireachtas.ie

Dear Mr Keenan,

Further to my acknowledgement of your correspondence of 30 June 2021, whereby the Committee of Public Accounts (the “**Committee**”) made 21 requests for certain records and information (the “**Records**”).

As I stressed at the Committee meeting on 17 June, I would like to do all that I can to make the University’s relationship with the Committee a positive one of trust going forward. In this regard, we are eager to fully co-operate with the Committee and assist it in its activities by providing the Records.

However, as the Chancellor emphasised in her letter of 2 March, much of what is set out in the first requested Record (the report by Mairead McKenna (the “**Report**”)) is personal data relating to internal employment matters within the University. Indeed, it is due to the legal restraints posed by our obligations of confidentiality (e.g. under section 16(1) of the Protected Disclosures Act 2014, which prohibits the disclosure of “*any information that might identify the person by whom the protected disclosure was made*”), and our obligations under data protection law, that we initially only provided the Committee with the recommendations made by Ms. McKenna and the University’s response to same.

Although we would propose to provide the Report in partially redacted form (to remove direct identifiers), we are conscious that it would still be possible to identify a number of individuals, including the individuals who made the protected disclosures. We also have obligations under data protection law in respect of the other Records (such as the second requested Record – the former President’s contract). As such, we must be satisfied that we have legal grounds for disclosing the Records to the Committee before we can share same.

In this regard, we would be grateful if you could please formally confirm that the Committee is exercising its statutory powers to compel the disclosure of the Records, that the Committee considers the disclosure of the Records (as opposed to extracts or summaries of same) to be required by law, and that the Committee will handle the Records with due care in accordance with data protection law.

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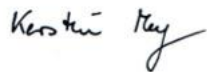
Receipt of this confirmation would enable us to disclose the Records without breaching our obligations. In particular, it would enable us to rely on section 16(2)(d) of the Protected Disclosures Act 2014 (which permits disclosures that are “*necessary in the public interest*” or “*required by law*”), and Article 6(1)(c) of the GDPR (which permits the processing of personal data where it is necessary to comply with a legal obligation).

For the avoidance of doubt, requesting this confirmation is in line with our approach in respect of other interested stakeholders. Indeed, we recently asked the Office of the Comptroller & Auditor General to specify their legal grounds for their request for a copy of the Report and they have responded clearly setting out the legal basis upon which the University can rely in sharing information such as the Report.

On receipt of your confirmation we will return under single cover our response to all requests made in your correspondence dated 30 June.

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink that reads "Kerstin Mey". The signature is written in a cursive style with a long, sweeping tail on the letter 'y'.

Professor Kerstin Mey
President