



28th June 2022

[REDACTED],

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Email: [REDACTED]

Re: FOI request IE_FOI_584

Dear [REDACTED],

I refer to your request dated 10th May 2022 made under the Freedom of Information Act 2014, which was received on by my office on that date, for records held by Iarnród Éireann.

Request:

- Copy of:
 - The full number of remote working requests received by Iarnród Éireann in 2021 and 2022.
 - A breakdown of the full number in (a) above by type of request (i.e. 5 Day, 4 Day, 3 Day etc.)
 - A breakdown of the requests in (b) above which were approved (i.e. 5 Day, 4 Day, 3 Day etc.)
 - A breakdown of the requests in (b) above which were rejected (i.e. 5 Day, 4 Day, 3 Day etc.)
 - The full number of staff currently working remotely, or via remote working hubs, which were in place prior to the introduction of the remote working policy.
 - The number of staff currently working more than 2 days remotely (per week) in an unofficial capacity under local agreement.
 - All correspondence between the human resources department, and the IE data protection officer, relating to a data breach by Stephen Murray on 12th February 2020

Response:

I, Ms. Sharon O'Rourke, Decision Maker have now made a final decision grant your request on 28th June 2022.

Please find response document and schedule of records attached.

Rights of appeal

In the event that you are not happy with this decision you can make an appeal in relation to this matter, you can do so by writing to the FOI Unit, Corporate Communications, Iarnród Éireann Irish Rail, Connolly Station, Amiens St, Dublin 1 or by e-mail to foi@irishrail.ie. You should make your appeal within 4 weeks (20 working days) from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays, however, the making of a late appeal may be permitted in appropriate circumstances.

The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this body.

Should you have any questions or concerns regarding the above, please contact the FOI Officer on 087-2017267 or by email at foi@irishrail.ie

Yours sincerely,

PP 

Ms. Sharon O'Rourke, FOI Decision Maker, SS HR, Iarnród Éireann

Freedom of Information Request:
Schedule of Records for IE_FOI_584 : Summary for Decision Making

Record No.	Date of Record	Brief Description	No. of Pages	Decision: Grant/Part Grant/Refuse	Section of Act if applicable	Record Edited/Identify Deletions
1	22.06.2022	IE_FOI_584 Response	1	Grant	~	~
2	various	IE_FOI_584 Data Breach 15 Docs	14	Part Grant	S37	Personal Info relating to others

Signed:
Sue Stanley
Freedom of Information / Data Protection Office

IE_FOI_584 Response

- The full number of remote working requests received by Iarnród Éireann in 2021 and 2022 – 438 requests for remote working were received in 2021 and 2022.
- A breakdown of the full number in (a) above by type of request (i.e. 5 Day, 4 Day, 3 Day etc.) The amended remote working policy stipulated that all employees were required to work at least three days in the office in a normal working week and all requests over and above the 2 days working remotely were deemed invalid.
- A breakdown of the requests in (b) above which were approved (i.e. 5 Day, 4 Day, 3 Day etc.) – All requests (435) that met the criteria of the remote working policy were approved i.e. three days in the office in a normal working week, with up to two days working remotely subject to approval by your line manager, in line with business requirements.
- A breakdown of the requests in (b) above which were rejected (i.e. 5 Day, 4 Day, 3 Day etc.) – There were 3 appeals submitted to the Director Human Resources and these were rejected as they did not meet the criteria outlined in the policy.
- The full number of staff currently working remotely, or via remote working hubs, which were in place prior to the introduction of the remote working policy – Prior to the remote working policy there were no agreed hub locations and to the best of our knowledge there were no employees with an agreed arrangement to work remotely.
- The number of staff currently working more than 2 days remotely (per week) in an unofficial capacity under local agreement – To the best of our knowledge, since its introduction, local managers are adhering to the policy, so all staff are in their work location at least 3 days a week.

From: [REDACTED]
To: [IE Data Protection](#)
Subject: FW: Urgent - Annual Leave Information
Date: Wednesday 19 February 2020 10:03:26
Attachments: [image001.png](#)
[image002.png](#)

Hi,

In relation to the matter below, I was wondering if the matter had been reported or if I need to do anything?

The pay grades of 33 staff were sent to me (in error from what I can see) and 6 of my colleagues.

I just want to make sure that I am not in breach of the Iarnród Éireann 'Data Breach Management Policy'.

Thanks,

[REDACTED]
Procurement Manager
Iarnród Éireann - Irish Rail (Railway Undertaking)
Inchicore Railway Works
Inchicore
Dublin 8
E: +353 1 703 4870

✉: [REDACTED] 🌐: www.irishrail.ie



From: [REDACTED]
Sent: 13 February 2020 09:04
To: [REDACTED]
Subject: RE: Urgent - Annual Leave Information

Morning [REDACTED],

Concerning the email below.

I haven't seen the database itself. Is the grade and point of the scale listed on the database ?

Either way you raise a good point, I'll suggest we amend what's distributed.

[REDACTED]

From: [REDACTED]
Sent: 12 February 2020 14:24
To: [REDACTED]
Subject: RE: Urgent - Annual Leave Information

[REDACTED]
Why has my pay grade (and the pay grades of all department staff) been shared without my consent?

Gary.

From: [REDACTED]
Sent: 12 February 2020 13:47
To: [REDACTED]
[REDACTED]
[REDACTED]
Cc: [REDACTED]
Subject: Urgent - Annual Leave Information

Importance: High

Colleagues,

Can you please review the attached corporate AL Policy & spreadsheet and populate the following for the staff under your remit:

Column I – Total days leave entitlement as per the attached AL Policy

Column J – Number of days leave taken in January, if zero days have been taken in January, please denote with 0

This information is required urgently for Payroll Transformation team, I'd greatly appreciate it if you could provide me with this detail by close of business tomorrow.

Best Regards,

[Redacted Signature]

T: 01 746 2389

Acmhainn Daonna, Seirbhísí Comhroinnte, Stáisiún Uí Chongaile, Baile Átha Cliath 1

Human Resources Clerical Officer, Shared Services, Connolly Station Head Office, Dublin 1 D01 V6V6



From: [REDACTED]
To: [IE Data Protection](#)
Subject: FW: Urgent - Annual Leave Information
Date: Wednesday 19 February 2020 16:10:36
Attachments: [image001.png](#)
[SS Annual Leave Entitlement_Sinead.xlsx](#)
Importance: High

Hi [REDACTED]

Please see the attached file as discussed.

If there's anything else, don't hesitate to contact me.

Best Regards,

[REDACTED]

T: 01 746 2389

Acmhainn Daonna, Seirbhísí Comhroinnte, Stáisiún Uí Chongaille, Baile Átha Cliath 1
Human Resources Clerical Officer, Shared Services, Connolly Station Head Office, Dublin 1 D01 V6V6



Staff No	Name	Grade Code	Grade Description	Cost Centre	CC Description	PayCentre Number	Staff Category	Number of Days Annual Leave Entitlement 2020 Entitlement as Per Corporate AL Policy	Number of Annual Leave Days taken up to and including 31st January	Contact Person to request Information from

From: [IE Data Protection](#)

Bcc:

Subject: IE_GDPR_15 Breach Notification

Date: Monday 24 February 2020 15:12:17

Attachments: [IE_GDPR_DB_15 Letter to Subject.pdf](#)
[image001.png](#)

Importance: High

Good Afternoon,

Please see attached.

Kind Regards

Sue

Ms. Sue Stanley

Freedom of Information / Data Protection Officer,
Corporate Communications,
Iarnród Éireann Irish Rail,
Connolly Station,
Amien Street,
Dublin 1.

☎: +353 1 703 4293 ✉: sue.stanley@irishrail.ie



*****Notification of an Unintentional Information Disclosure*******IE GDPR DB 15**

Dear Sir/Madam

Please note that on Tuesday 12th February 2020, a breach of the Data Protection Policy of Iarnród Éireann occurred. An authorised email with an attachment containing a spreadsheet detailing grades of 34 employees was sent to 6 senior members of the procurement team in error.

On behalf of Iarnród Éireann, please accept my sincere apology for this communication and subsequent unintentional information disclosure. We are treating this issue very seriously and are taking all necessary steps to prevent a reoccurrence.

If you should have any questions in relation to the breach please contact our Data Protection Officer, at 01-7034293 or email dpo@irishrail.ie

Yours sincerely,



Sue Stanley,

Data Protection/FOI Officer

Iarnród Éireann

*****Notification of an Unintentional Information Disclosure*******IE GDPR DB 15**

Dear Sir/Madam

Please note that on Tuesday 12th February 2020, a breach of the Data Protection Policy of Iarnród Éireann occurred. An authorised email with an attachment containing a spreadsheet detailing grades of 34 employees was sent to 6 senior members of the procurement team in error.

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If you should have any questions in relation to the breach please contact our Data Protection Officer, at 01-7034293 or email dpo@irishrail.ie

Yours sincerely,



Sue Stanley,

Data Protection/FOI Officer

Iarnród Éireann

From: [REDACTED]
Subject: RE: Urgent - Annual Leave Information (IE_GDPR_DB_15)
Date: Monday 24 February 2020 12:03:11
Attachments: [image001.png](#)
[image002.png](#)
[Data Breach Report Form.pdf](#)

Hi Sue,

Please see the responses to your queries below:

1. I cannot say why the breach was not reported by the HR department and I wasn't aware that I personally had to report the breach to the DPO as I had no prior knowledge about the procedure. On the 13th, the day I found out that a data breach had been reported I had to leave work [REDACTED] but informed my line manager about the incident before leaving. I did not return to work until the 17th by which point the breach was already apparent.
2. The grades were included in the file as a means of identifying the annual leave entitlement of employees as per the corporate policy. I was tasked with seeking information for the Payroll Transformation team from all Shared Services departments and this is the format I was given to use.
3. I had initially sent on this email to the Head of Procurement only but they were unable to provide me with the information required nor did they delegate anyone else to do so. As the deadline to provide this information was fast approaching, I took the initiative to contact other managers within the procurement department who I thought would be able to provide me with this information. It was a genuine mistake on my part and my only intention was to complete the task at hand. At the time the implications of sending this file to other managers within the department did not occur to me.
4. As part of my task, other e-mails did go out but there was a specified person in each department (head of department or person in charge) for me to contact who could provide me with the detail of the employees under their remit. I can confirm that in my correspondence with the various Shared Services department, no other issues arose in relation to the information contained in the material provided to fulfil the request. I can also confirm that aside from this instance, I did not in any other case deviate from the list of designated persons to request this information from.

I hope that the above information is of some assistance to you in resolving the matter.

Best Regards,

[REDACTED]

T: 01 746 2389

Acmhainn Daonna, Seirbhísí Comhroinnte, Stáisiún Uí Chongaille, Baile Átha Cliath 1
Human Resources Clerical Officer, Shared Services, Connolly Station Head Office, Dublin 1 D01 V6V6



From: Stanley Sue (Irish Rail)

Sent: 20 February 2020 08:11

To: [REDACTED]
[REDACTED]

Subject: RE: Urgent - Annual Leave Information (IE_GDPR_DB_15)

Importance: High

H [REDACTED]

A few questions in relation to this data breach.

- Can you explain why HR didn't notify the DPO of this breach please?
- Can you explain why peoples grades were included on the annual leave sheet?
- Can you explain why this email was sent to several people in the procurement dept as opposed to just the manager?
- Can you confirm that similar emails of this kind haven't gone out to other areas of the business please? We need to be sure that this is just one data breach and not a series of them? If similar emails have gone out, can you let us know urgently please as we are working against the clock in relation to reporting data breaches to the data protection commissioner's office.

Kind Regards,

Sue

Ms. Sue Stanley

Freedom of Information / Data Protection Officer,
Corporate Communications,
Iarnród Éireann Irish Rail,
Connolly Station,
Amien Street,
Dublin 1.

☎: +353 1 703 4293 ✉: sue.stanley@irishrail.ie



From: [REDACTED]

Sent: 19 February 2020 16:11

To: IE Data Protection <dpo@irishrail.ie>

Subject: FW: Urgent - Annual Leave Information

Importance: High

Hi [REDACTED]

Please see the attached file as discussed.

If there's anything else, don't hesitate to contact me.

Best Regards,

[REDACTED]

T: 01 746 2389

Acmhainn Daonna, Seirbhísí Comhroinnte, Stáisiún Uí Chongaille, Baile Átha Cliath 1
Human Resources Clerical Officer, Shared Services, Connolly Station Head Office, Dublin 1 D01 V6V6



APPENDIX 1 – PERSONAL DATA SECURITY BREACH REPORT FORM

Please act promptly to report any data security breaches. If you discover a data security breach, please notify your Head of Department/Office immediately. Heads of Department/Function to complete Section 1 of this form and email it to the Data Protection Officer at dpo@irishrail.ie

Section 1: Notification of Personal Data Security Breach	To be completed by Head of Department/Function of person reporting incident
Date incident was discovered:	13/02/20
Date(s) of incident:	As Above
Place of incident:	Email to Procurement MGRS
Name of person reporting incident:	
Contact details of person reporting incident (email address, telephone number):	
Brief description of incident or details of the information lost:	Email with attachment containing Pay grade Codes of Staff sent to 5 Managers within the Procurement Dept.
Number of Data Subjects affected, if known:	34 - Shared details with 5 MGRS
Has any Personal Data been placed at risk? If, so please provide details	Pay grade Codes
Brief description of any action taken at the time of discovery:	Reported to Line Manager
For Office Use	
Received by:	
On (date):	
Forward for action to:	
On (date):	

Section 2: Assessment of Severity	To be completed by Lead Investigator in consultation with head of area affected by the breach and Data Protection Officer
Details of the IT systems, equipment, devices, records involved in the security breach:	Records containing employee Pay grade Codes
Details of information loss:	/
What is the nature of the information lost?	Pay grade Codes
How much data has been lost? If laptop lost/stolen: how recently was the laptop backed up onto central IT systems?	/
Is the information unique? Will its loss have adverse operational, research, financial, legal liability or reputational consequences for the IE or third parties?	No
How many data subjects are affected?	34 - details Shared with 5 MGRS
Is the data bound by any contractual security arrangements?	No
What is the nature of the sensitivity of the data? Please provide details of any types of information that fall into any of the following categories:	
HIGH RISK Personal Data <ul style="list-style-type: none"> Sensitive Personal Data (as defined in the Data Protection Acts) relating to a living, identifiable individual's <ul style="list-style-type: none"> a) racial or ethnic origin; b) political opinions or religious or philosophical beliefs; c) membership of a trade union; d) physical or mental health or condition or sexual life; e) commission or alleged commission of any offence, or f) proceedings for an offence committed or alleged to have been committed by the data subject, the disposal of such proceedings or the sentence of any court in such proceedings. 	/
<ul style="list-style-type: none"> Information that could be used to commit identity fraud such as personal bank account and other financial information and national identifiers, such 	/

as Personal Public Service Numbers (PPSNs) and copies of passports and visas;	/
• Personal information relating to vulnerable adults and children;	/
• Detailed profiles of individuals including information about work performance, salaries or personal life that would cause significant damage or distress to that person if disclosed;	Grade Codes which Relate to Salary Scales
• Information about individual cases on employee disciplinary actions which could adversely affect individuals.	/
• Security Information that would compromise the safety of individuals if disclosed.	/
Category of incident (1, 2, 3 or 4):	
Reported to Data Protection Officer on:	
If level 1 or level 2, date escalated by Lead Investigator to IE's Crisis Management Team	

Section 3: Action taken	To be completed by Data Protection Officer
Incident number:	e.g. PDB/2018/001
Report received by:	
On (date):	
Action taken by responsible officer/s:	
Was incident reported to Gardaí:	YES/NO If YES, notified on (date):
Follow up action required/recommended:	
Reported to Data Protection Officer on (date):	
Reported to other internal stakeholders (details, dates):	
For use of Data Protection Officer	

Notification to Data Protection Commissioner	YES/NO If YES, notified on: Details:
Notification to data subjects	YES/NO If YES, notified on: Details:
Notification to other external, regulator/stakeholder	YES/NO If YES, notified on: Details:

From: [REDACTED]
Subject: RE: Urgent - Annual Leave Information (IE_GDPR_DB_15)
Date: Thursday 20 February 2020 08:11:31
Attachments: [image001.png](#)
[image002.png](#)
Importance: High

Hi [REDACTED]

A few questions in relation to this data breach.

- Can you explain why HR didn't notify the DPO of this breach please?
- Can you explain why peoples grades were included on the annual leave sheet?
- Can you explain why this email was sent to several people in the procurement dept as opposed to just the manager?
- Can you confirm that similar emails of this kind haven't gone out to other areas of the business please? We need to be sure that this is just one data breach and not a series of them? If similar emails have gone out, can you let us know urgently please as we are working against the clock in relation to reporting data breaches to the data protection commissioner's office.

Kind Regards,

Sue

Ms. Sue Stanley
Freedom of Information / Data Protection Officer,
Corporate Communications,
Iarnród Éireann Irish Rail,
Connolly Station,
Amien Street,
Dublin 1.
☎: +353 1 703 4293 ✉: sue.stanley@irishrail.ie



From: [REDACTED]
[REDACTED] February 2020 16:11
To: IE Data Protection <dpo@irishrail.ie>
Subject: FW: Urgent - Annual Leave Information
Importance: High

Hi [REDACTED]

Please see the attached file as discussed.

If there's anything else, don't hesitate to contact me.

Best Regards,

[REDACTED]
T: 01 746 2389

Acmhainn Daonna, Seirbhísí Comhroinnte, Stáisiún Uí Chongaille, Baile Átha Cliath 1
Human Resources Clerical Officer, Shared Services, Connolly Station Head Office, Dublin 1 D01 V6V6



IE FOI 584 Response Pack Queries

- A breakdown of the full number in (a) above by type of request (i.e. 5 Day, 4 Day, 3 Day etc.) - [The amended remote working policy stipulated that all employees were required to work at least three days in the office in a normal working week and all requests over and above the 2 days working remotely were deemed invalid.](#)
 - **Query** - I sought a breakdown of all applications by the quantum of days remote working sought. I note the response from the decision maker relating to the amended remote working policy, however I specifically requested a breakdown of the applications. For clarity, this should be provided in table form with all 438 applications allocated to either 1, 2, 3, 4 or 5 day requests. – [Please see table below.](#)
- A breakdown of the requests in (b) above which were rejected (i.e. 5 Day, 4 Day, 3 Day etc.) – [There were 3 appeals submitted to the Director Human Resources and these were rejected as they did not meet the criteria outlined in the policy.](#)
 - **Query** - the response only refers to applicants who made an appeal. I didn't request this information. I specifically require, again in table form, a breakdown of all those applications seeking 3 or more days remote working, and a breakdown of how many were approved or rejected. – [Please see table below](#)

Applications days	No of Employees applied	Was granted 1 day	Was granted 2 days
1	22	22	
2	231	4	227
2.5	20		20
3	160	2	158
4	5		5
5	8		8

- The full number of staff currently working remotely, or via remote working hubs, which were in place prior to the introduction of the remote working policy – [Prior to the remote working policy there were no agreed hub locations and to the best of our knowledge there were no employees with an agreed arrangement to work remotely.](#)
 - **Query** - could I get clarity on the term 'to the best of our knowledge'? Can the company confirm if this means that it is quite possible that some staff are working fully remotely (either at home, at a train station or depot, or at a hub)? – [We can confirm that there were no employees with an agreed arrangement to work remotely.](#)
- The number of staff currently working more than 2 days remotely (per week) in an unofficial capacity under local agreement – [To the best of our knowledge, since its introduction, local managers are adhering to the policy, so all staff are in their work location at least 3 days a week.](#)
 - **Query** - could I get clarity on the term 'in their work location'? – [Work location refers to their official place of work in Iarnród Éireann as set out in their contract and letter of offer.](#)