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Data

Protection

Policy

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Southill Family Resource  
Centre CLG.

Approval date:

Revision date:

1. Responsibility for approval of policy	(Board or Management Committee)
2. Responsibility for implementation	Chairperson/Co-ordinator
3. Responsibility for ensuring review	Policy Sub-group

## SOUTHILL FAMILY RESOURCE CENTRE PRIVACY & DATA PROTECTION POLICY



SOUTHILL FAMILY RESOURCE CENTRE

**Everyone has rights with regard to how their personal information is handled. During the course of the Company's activities the Company may collect, store and process personal information about staff, volunteers, board members, student placements, clients and job applicants and the Company recognises the need to treat this data in an appropriate and lawful manner. The Company is committed to complying with its obligations in this regard in respect of all personal data it handles.**

**This policy does not form part of any employee's contract of employment and it may be amended at any time. Any breach of this policy will be taken seriously and may result in disciplinary action up to and including dismissal.**

### **PURPOSE AND SCOPE OF THE POLICY**

- This Privacy & Data Protection Policy ("Policy") sets out the basis upon which Southill FRC (the "company", "we", "us" or "our") may collect, use disclose or otherwise process personal data of staff, volunteers, board members, student placements, clients and job applicants in accordance with the relevant Irish Legislation, namely the Irish Data Protection Act (1988), and

the Irish Data Protection (Amendment Act (2003). And any further amendments.

- This policy applies to personal data in our possession or under our control, including  
Personal data in the possession of our organisations which we have engaged to collect, use, disclose or process personal data for our purposes.
- This Policy sets out the Company on data protection and the legal conditions that must be satisfied in relation to the collecting, obtaining, handling, processing, storage, Transportation and destruction of personal and sensitive personal sensitive information.  
This policy covers both personal and sensitive personal data held in manual and automated form.
- All Personal and Sensitive Personal Data will be treated with equal care by Southill FRC. Both categories will be equally referred to as Personal Data in this policy, unless specifically stated otherwise.
- This policy should be read in conjunction with the other associated Privacy & Data Protection supporting policies and documentation.
- If an employee considers that the policy has not been followed in respect of personal data about themselves or others, they should raise the matter with their manager as soon as possible.

## **APPLICATION OF THIS POLICY**

- This Policy applies to all Personal Data collected, processed and stored by Southill FRC in relation to staff, volunteers, board

members, student placements, clients and job applicants in the course of its activities.

- Southill FRC makes no distinction between the rights of Data Subjects who are employees, and those who are not.

### **DEFINITION OF DATA PROTECTION TERMS**

- **Data** is information which is stored electronically, on a computer, or in certain paper-based filing systems. This would include IT systems and CCTV systems.
- **Data subjects** for the purpose of this policy include all living individuals about whom the company holds the personal data.
- **Personal data** means any information relating to an identified or identifiable natural person i.e. data relating to a living individual who can be identified from that data and other information that is in or is likely to come into, the possession of the data controller). Personal data can be factual ( such as name, address or date of birth) or it can be an onion (such as a performance appraisal.)
- **Data Controllers** are the natural or legal person, public authority, agency or other body which, alone or jointly, determines the purposes and means of the processing of personal data.
- **Data Processor** is a person who processes data on behalf of a data controller but does not include an employee of a data controller who processes such data in the course of his employment.
- **Data Users** include employees whose work involves using personal data. Data users have a duty to protect the information they handle by following the Company's data protection and security policies at all times.

- **Data Protection Officer/ Team** is a group of individuals/ individual appointed by Southill FRC to monitor compliance with the appropriate Data Protection legislation, to deal with Subject Access Requests, and to respond to Data Protection queries from staff members and service recipients.
- **Processing means performing any operation or set of operations on data, including:**
  1. Obtaining, recording or keeping data,
  2. Collecting, organising, structuring, storing, altering or adapting the data,
  3. Retrieving, consulting or using the data,
  4. Disclosing the information or data by transmitting, disseminating or otherwise  
Making it available,
  5. Aligning, combining, restricting, blocking, erasing or destroying the data.
- **Sensitive personal data** are specific categories of personal data including information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition, genetic or biometric data, sexual orientation or sexual life, criminal record, convictions or the alleged commission of an offence. Sensitive personal data can only be processed under strict conditions and will usually require the express consent of the person concerned.

### **Southill FRC AS A DATA CONTROLLER**

- In the course of its daily organisational activities, Southill FRC acquires, processes and stores personal data in relation to:
  - Employees of the company

- Volunteers
- Board members
- Students on placement
- Clients of the company

- In accordance with the Irish Data Protection legislation, this data must be acquired and managed fairly. Not all staff members will be expected to be experts in Data Protection legislation. However, Southill FRC is committed to ensuring that its staff must ensure that the Data Protection Team is informed, and in order that appropriate corrective action is taken.
- This policy provides the guidelines for this exchange of information, as well as the procedure to follow in the event that a Southill FRC staff member should consult with the Data Protection Team to seek clarification.

Personal data must comply with the eight enforceable principles of good practice. Southill FRC will administer its responsibilities under the legislation in accordance with the eight stated data protection principles outlined in the Act as follows:

### **Obtain**

Southill FRC will keep data for purposes that are specific, lawful, and clearly stated and the data will only be processed in a manner compatible with these purposes. A Data Subject will have the right to question the purpose(s) for which Southill FRC holds their data, and the Company will be able to clearly state that purpose or purposes.

## **Use and disclose data only in ways compatible with these purposes.**

Southill FRC will only disclose personal data that is necessary for the purpose/s or compatible with the purpose/s for which it collects and keeps the data.

## **Keep data safe and secure**

Southill FRC will take appropriate security measures against unauthorised access to, or alteration, disclosure or destruction of the data and against their accidental loss or destruction.

- The company will employ high standards of security in order to protect the personal data under its care.
- Appropriate security measures will be taken to protect against unauthorised access to, or alteration, destruction or disclosure of any personal data held by the company in its capacity as Data Controller including appropriate administrative, physical and technical measures such as up to date antivirus protection to secure all storage and transmission of personal data by us
- You should be aware, however, that no method of transmission over the Internet or method of electronic storage is completely secure. While security cannot be guaranteed, we strive to protect the security of your information and are constantly reviewing and enhancing our information security measures.
- Access to and management of staff and customer records is limited to those staff members who have appropriate authorisation and password access.

## **Keep data accurate, complete, and up-to-date**

Southill FRC will have procedures that are adequate to ensure high levels of data accuracy.

Southill FRC will:

- Ensure administrative and IT validation processes are in place to conduct regular assessments of data accuracy.
- Conduct periodic reviews and audits to ensure that relevant data is kept accurate and up-to-date: Southill FRC conducts an audit of sample data to ensure accuracy.
- Conduct regular assessments in order to establish the need to keep certain Personal Data.
- **Ensure that data are adequate, relevant, and not excessive.**
  - Personal data held by Southill FRC has identified an excessive in relation to the purpose/s for which it is kept. Data which are not relevant to such processing will not be acquired or maintained.
- **Retain data for no longer than is necessary for the purpose or purposes for which is kept.**
- We may retain your personal data for as long as it is necessary to fulfil the purposes for which they were collected, or as required or permitted by applicable laws.
- Southill FRC has identified an extensive matrix of data categories, with reference to the appropriate data retention period for each category. The matrix applies to data in both a manual and automated format. This is our Personal Data Inventory.
- We will cease to retain your personal data or remove the means by which the data can be associated with you, as soon as it is reasonable to assume that such retention no longer

serves the purposes for which the personal data were collected and are no longer necessary for legal or business purposes. Therefore, once the respective retention period has elapsed, the company and its staff undertake to destroy, erase, or otherwise put this data beyond use using appropriate means.

- **Give a copy of his/her personal data to that individual on request**

Southill FRC has implemented a Subject Access Request procedure by which to manage such requests in an efficient and timely manner, within the timelines stipulated in the legislation.

The record keeping system that the company employs ensures that all records are accessible whenever needed within a reasonable time. These records are organised in a way that ensures traceability and retrieve ability throughout the required retention period.

- **Collection, Use and Disclosure of Personal Data**

- The types of information that the Company may be required to handle include details of current, past and prospective employees, volunteers, board members, student placements, clients, job applicants and others that the Company communicates with.
- The information which may be held on paper or on a computer or other media, is subject to certain legal

safeguards specified in the Data Protection Acts 188-2003 and other regulations. The Acts impose restrictions on how the Company may collect and process that data.

- We generally collect personal data that you knowingly and voluntarily provide after you (or your authorised representative) have been notified of the purposes for which the data is collected.
- You (or your authorised representative) have provided written consent to the collection and usage of your personal data for those purposes, or
- Collection and use of personal data without consent is permitted or required by the Data Protection Acts or other laws. We shall seek your consent before collecting any additional personal data and before using your personal data for a purpose which has not been notified to you (except where permitted or authorised by law)

### **We collect and use information to provide the following services:**

- A full range of services to clients e.g. education and information services
- Assessing and evaluating eligibility and suitability for education/training courses both before and throughout the course.
- A review of the services we provide so that we can tailor the best solution for the client.

- Sharing of information with other service providers, as agreed with clients, so the company can make referrals and appointments on their behalf.
- Producing statistics which help the company to plan and improve services to clients and provide funders with data to assist them.
- Performing obligations under or in connection with the provision of our services to our clients:
- To allow for payments for services provided
- Performing accounting and other record-keeping functions.
- Undertaking advertising, marketing and public relation exercises.
- Use of name, address data and contact details for emergency contact
- Facilitating our compliance with any laws, customs, and regulations which may be applicable to us.

**TO PROVIDE PERSONNEL ADMINISTRATION SERVICES SUCH AS:**

- Assessing and evaluating suitability for employment/appointment or continued employment/appointment in any position within our organisation
- Performing obligations under or in connection with a contract of employment with us, including payment of remuneration and tax.
- All administrative and human resources related matters within our organisation, including administering payroll, granting and monitoring access to our premises and

computer systems, processing leave applications, administering any benefits, processing claims and expenses and developing human resource policies,

- Investigating potential contraventions of our internal or external compliance regulations, and resolving any employment related grievances;

The purposes listed in the above clauses may continue to apply even in situations

Where your relationship with us (for example, pursuant to a contract) has been terminated or altered in any way, for a reasonable period thereafter (including, where applicable, a period to enable us to enforce our rights under any contract with you.)

## **WITHDRAWING CONSENT**

- The consent that you provide for the collection, use and disclosure of your personal data will remain valid until such time it is being withdrawn by you in writing.
- You may withdraw consent and request us to stop using and/or disclosing your personal data for any or all the purposes listed above by submitting your request in writing or via email to Jimmy Prior, coordinator at the contact details provided below.
- Upon receipt of your written request to withdraw your consent, we may require reasonable time (depending on the complexity of the request and its impact on our relationship with you) for your request to be processed and for us to notify you of the consequences of us acceding to the same, including any legal consequences

which may affect your request within one month of receiving it.

- Whilst we respect your decision to withdraw your consent, please note that depending on the nature and extent of your request, we may not be in a position to process your application (e.g. employee consent to process data may not be possible for legal reasons). We shall in such circumstances, notify you before completing the processing of your request (as outlined above)
- Should you decide to cancel your withdrawal of consent, please inform us by submitting your request in writing via email to Jimmy Prior, coordinator at the contact details provided below.
- Please note that withdrawing consent does not affect our right to continue to collect, use and disclose personal data where such collection, use and disclose without consent is permitted or required under applicable laws.

## **ACCESS TO, ACCURACY AND CORRECTION OF PERSONAL DATA**

- We generally rely on personal data provided by you (or an authorised representative). In order to ensure that your personal data is current, complete and accurate, please update us if there are any changes to your personal data by informing Jimmy Prior in writing or via email at the contact details provided below.
- We will respond to your access request as soon as reasonably possible. We will ensure that not more than one month from receipt of the request.
- This one month period may be extended up to two further months where necessary, taking into account the complexity and the number of requests. We will inform

you in writing within the first month after receipt of the request if this is the case.

- If we are unable to provide you with any personal data or to make a correction requested by you, we shall inform you of the reasons why we were unable to do so (except where we are not required to do so under DATA PROTECTION ACTS).
- Please note that depending on the request that is being made, we will only need to provide you with access to the personal data contained in the documents requested, not the entire documents themselves. In those cases, it may be appropriate for us to simply provide you with confirmation of the personal data that the organisation has on record, if the record of your personal data forms are a negligible part of the document.
- It is intended by complying with these guidelines, the company will adhere to best practice regarding the applicable Data Protection Legislation.

## **TRANSFERS OF PERSONAL DATA OUTSIDE OF EUROPE**

We general do not transfer your personal data to countries outside of Europe. However, if we do so, we will obtain your consent for the transfer to be made and we will take steps to ensure your personal data continues to receive a standard of protection that is at least comparable to that provided under the DATA PROTECTION ACTS.

## **DATA PROTECTION TEAM**

You may contact Jimmy Prior if you have any enquires or feedback on our personal data protection policies and procedures; or if you wish to make any request, in the following manner:

Please contact the Southill Family Resource Centre through

Email: [info@southillfrc.com](mailto:info@southillfrc.com) Tel: 061-440250, Postal Address: 267 Avondale Court, O' Malley Park, Southill, Limerick V94X998

## **IMPLEMENTATION**

As a data Controller, Southill FRC ensures that any entity which processes Personal Data on its behalf (a data Processor) does so in a manner compliant with the Data Protection Legislation.

Failure of a Data Processor to manage the Company's data in a compliant manner will be viewed as a breach of contract and will be pursued through the courts.

Failure of Staff to process Personal Data in compliance with this policy may result in disciplinary proceedings.

## **Effect of the Policy and changes to the Policy**

This Policy applies in conjunction with any other policies, notices, contractual clauses, and consent clauses that apply in relation to the collection, use and disclosure of your personal data by us.

We may revise this Policy from time to time without any prior notice. You may determine if any such revision has taken place by referring to the date on which this Notice was last updated. Your continued employment, training, participation as a customer, client, service provider or in our recruitment process constitute your acknowledgement and acceptance of such changes.

Last updated: 27/12/21

APPROVED BY BOARD OF TRUSTEES

DATE:21/12/21

SIGNED:MARY BLENNERHASSETT

CHAIRPERSON