



KENMARE FAMILY RESOURCE CENTRE LTD

DATA PROTECTION POLICY

APRIL 2017

April 2018

February 2020



Date: February 2020



1. INTRODUCTION

Kenmare Family Resource Centre is committed to a policy of protecting the rights and privacy of individuals in accordance with the EU wide framework known as General Data Protection Regulation (GDPR). The Data Protection Bill 2018 comes into effect in May 2019 & will replace Data Protection Acts 1988 & 2003. For administrative purposes (e.g. to pay staff, to administer programmes, to record progress and to comply with legal obligations to funding bodies and government), the Centre needs to process personal data about its staff, volunteers and other individuals with whom it has dealings. To comply with the law, personal data must be collected and used fairly, stored safely and securely and not disclosed to any third party unlawfully.

2. INDIVIDUAL RIGHTS

The individuals for whom the Centre stores personal data have the following rights:

1. *The right to be informed (Art 13 & 14 of GDPR)*

Including the identity of the data controller, purpose & lawful basis for processing of data, identity of any other recipients of their personal data, the retention period for their data, the right to withdraw consent, right to lodge a complaint with the Data Protection Commissioner, if the provision of personal data is of a contractual requirement & the consequences to the contract of not providing the personal data.

2. *The right to access Data (Art 15 of GDPR)*

Includes confirmation that data concerning the individual is being processed, provide a copy of the info to the individual for free, the reason for processing, categories of data, info on whether data is collected from another source, who that source is

3. *The right to rectification (Art 16 & 19 of GDPR)*

Involves inaccurate or incomplete data being rectified or updated by the controller without undue delay. Additional information can be provided by the individual in this case

4. *The right to erasure (Art 17 & 19 of GDPR) (also known as 'right to be forgotten')*

To have data erased/ destroyed/ deleted immediately for some of the following reasons: it is no longer necessary, withdrawal of consent, objection to processing, where info was unlawfully processed

5. *The right to data portability (Art 20 of GDPR)*

Provide information in structured and machine-readable manner so that it can easily be processed by another computer

6. *The right to object to processing of personal data (Art 21 of GDPR)*

An individual can object to direct marketing, profiling for marketing or use of personal data for research purposes

7. *The right of restriction (Art 18 of GDPR)*

Information can be stored by the data controller but any other processing action requires the permission of the individual, including the deletion of the data.

8. *Rights in relation to automated decision making including profiling (Art 22 of GDPR)*

Right not to be the subject of a decision based solely on automated processing i.e. decisions carried out without human intervention.

(Reference: Data Protection Commissioner: "Rights of Individuals under General Data Protection Regulation")

3. PRINCIPLES OF THE ACTS

The Centre will administer its responsibilities under GDPR in accordance with the eight stated data protection principles as follows:

1. *Obtain and process information fairly*
2. *Keep data only for one or more specified, explicit and lawful purposes*
3. *Use and disclose data only in ways compatible with these purposes*

4. *Keep data safe and secure*
5. *Keep data accurate, complete and up-to-date*
6. *Ensure that data is adequate, relevant and not excessive*
7. *Retain data for no longer than is necessary for the purpose or purposes for which they are kept.*
8. *Give a copy of his/her personal data to that individual, on request*

(Reference: Power-point Presentation by Data Protection Commission, 23rd Feb. 2018)

4. ROLE/RESPONSIBILITIES

Kenmare Family Resource Centre Voluntary Board of Directors has overall responsibility for ensuring compliance with GDPR. However, all employees and volunteers of the Centre who collect and/or control the contents and use of personal data are also responsible for compliance with GDPR. The Centre will provide support, assistance, advice and training as required to ensure that it is in full compliance with the legislation.

Kenmare FRC is committed to:

- Following the data protection procedures accompanying this policy
- Being open, honest & transparent with all its data subjects including employees, volunteers, service users by informing them of their rights as outlined above
- Consent based data processing, therefore providing the data subject with a clear, simple explanation of every aspect of data processing so they can make informed consent regarding the processing (or not) of their data by Kenmare FRC
- Keeping data collected to a minimum; keeping it accurate and up to date; observing retention periods in relation to that data. Avoiding duplication of data.
- Ensuring the safety & confidentiality of personal data and will put security measures in place that are reasonable and proportionate to the level of data processing being carried out by Kenmare FRC.

5. PROCEDURES AND GUIDELINES

This policy underpins Data Protection Procedures for Kenmare FRC, ensuring the centre's compliance with best practice guidelines outlined in GDPR.

6. DATA BREACH

Should a breach of data occur, Kenmare FRC will comply with GDPR and report this breach to the Data Protection Commissioners within 72 hours and follow the procedures of Kenmare FRC around breach of data.

7. REVIEW

This Policy will be reviewed regularly considering any legislative or other relevant indicators. This Policy was discussed and ratified at meeting of the Voluntary Board of Directors on:

Date:

Signed by the Chairperson: _____

Signed by another Director: _____



Date: February 2020



