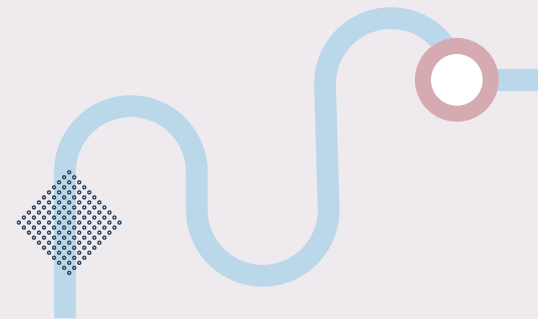


Data Protection Policy



Centre Name	
Centre Address	

Policy Name	Data Protection Policy
Policy Number	
Date Created	
Effective Date Adopted by the Board	
Version Number	
Date of Last Version	
Administrator Responsible	
Administrator Contact Information	

POLICY HISTORY

Version Number	Approved by	Revision Date	Author

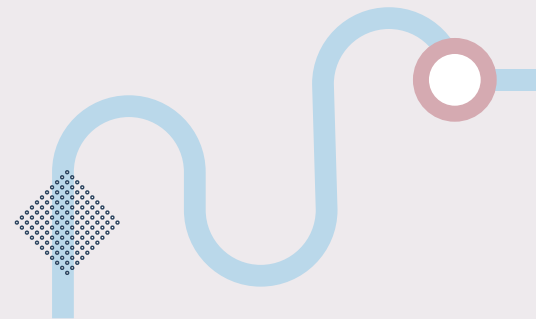
DOCUMENT CONTROL

Document Ref		Title	Data Protection Policy
Version & Date		Author	
Directorate:		Approved by Management	
Reviewed		Change History	

You can fill this out on a screen using Adobe Reader [Download Here](#) or by printing.



Data Protection Policy



OVERVIEW

The principal objective of _____ is to provide facilities for training courses, cultural activities, sport and recreational activities for the community of XXXX and to provide meeting rooms for local charitable organisations. Ancillary objectives extend to supporting the creation of new clubs and societies based both on the centre and occasional use only.

_____ is guided by its Memorandum and Articles of Association. It is a company limited by guarantee with no share capital, therefore members do not benefit from the community centre in commercial terms and act in an entirely voluntary capacity. All activities are carried out for the benefit of community interest through the provision of sport and recreational facilities to the local community. The community of interest is defined as the area of the Fingal Area. Services are prioritised for residents from this area. Members comprise representatives from the local community and user groups. The elected Board of Directors will adhere to the social objectives outlined in this document and the Memorandum and Articles of Association. It is envisaged that subgroups will be established in agreement with the Board of Directors to explore specific areas of development.

In order to provide the most effective and targeted range of services to meet the needs of the community and service users, _____ is required to collect, process and use certain types of information about people and organisations. Depending on the service being sought or provided, the information sought may include "personal data" as defined by the Data Protection Act 2018 and by the general Data Protection Regulation (GDPR), and may relate to current, past and future service users; past, current and prospective employees; suppliers; and members of the public who may engage in communication with our employees. In addition, employees may be required, from time to time, to collect, process and use certain types of personal data to comply with regulatory or legislative requirements.

DEFINITIONS

Definitions as defined by the Data Protection Act 2018 and by the GDPR.

Article 4 (1) defines "**personal data**" as:

"Any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person".

Article 9 (1) lists the "**special categories of personal data**" as:

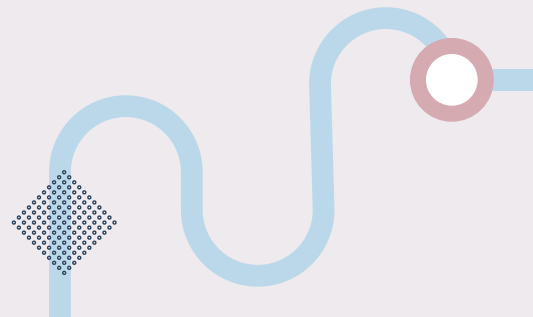
"Revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation".

Article 4 (2) defines "**processing**" as:

"Any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction".



Data Protection Policy



WHAT AND WHO IS A DATA CONTROLLER?

A Data Controller, under Article 4 (7) of the GDPR (European Union [EU]) No. 2016/679 means:

“the natural or legal person, entity, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law”.

In the case of _____, The centre's Board of Management is the Data Controller.

PRINCIPLES RELATING TO THE PROCESSING OF PERSONAL DATA

All personal data processed by _____ in the course of its work will be dealt with in compliance with the principles relating to Processing Personal Data laid down in Article 5 (1) of the GDPR set out hereunder:

Personal data shall be:

- a. Processed lawfully, fairly and in a transparent manner in relation to the Data Subject.
- b. Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- c. Adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed.
- d. Accurate and, where necessary, kept up to date.
- e. Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
- f. Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage.

This policy sets out how _____ will handle and process data, deal with a request for data by a Data Subject and manage a breach of data. Data in this policy Document means both personal data and sensitive personal data.

In particular, we are committed to protecting personal data as enshrined in the second title (Freedoms) of the Charter of Fundamental Rights of the EU, which has full legal effect under the Treaty of Lisbon since 1st December 2009.

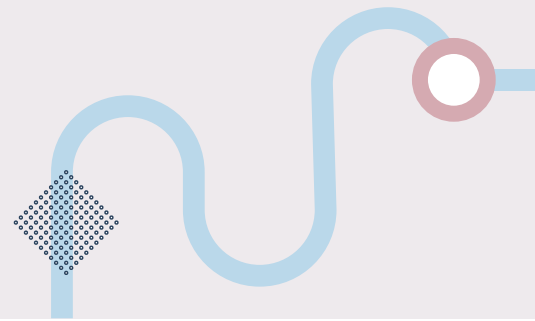
This policy must be read in conjunction with the Data Protection Act 2018 and Regulation EU No. 2016/679 the GDPR.

It also references the controls in place in respect of the use of closed-circuit television (CCTV) Systems . _____ also has a CCTV policy.

_____ is required to collect data for many of the services it provides to the community it serves. It collects it on paper, by way of application forms, correspondence, etc. It also receives data by way of emails and holds data electronically on shared drives and servers.



Data Protection Policy



In all cases it must ensure that data is processed in compliance with the six GDPR principles:

1. Lawfulness, fairness and transparency.
2. Purpose limitation.
3. Data minimisation.
4. Accuracy.
5. Storage limitation.
6. Accountability, integrity and confidentiality.

1. Policy in Respect of Compliance with the Data Protection Acts

It is the policy of _____ to comply fully with the Data Protection Acts. It will, as a Data Control Authority, carry out all duties and functions as set out in the Acts and ensure that the gathering and holding of data is done so solely within the terms of the Acts.

2. Appointment and Role of a Data Protection Officer

Under Article 37 (1) _____ is not required to appoint a Data Protection Officer as it is not a public authority or body. _____ will assign the centre Manager as a Data Protection Champion to take ownership of data protection, for example keeping records, monitoring compliance, and providing advice and training.

3. Policy in Respect of Informing Customers of Their privacy Rights

_____ has in place a privacy policy, which advises customers, service users and the general public of their privacy rights when providing personal data to the community centre for processing. As well as having a general policy and a Website policy, several sections have their own privacy notices, which are posted on the website. All policies and privacy notices are subject to constant review.

4. Policy in Respect of Adherence with Guidelines Issued by the Office of the Data Protection Commissioner

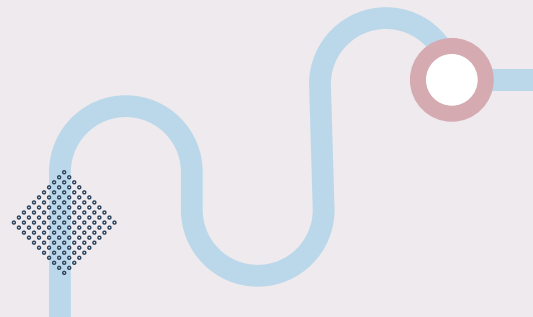
It is the policy of _____ to adhere to all guidelines issued by the Office of the Data Protection Commissioner. These include guidance on such matters as CCTV, records management, and rulings in respect of complaints made to that Office.

5. Policy in Respect of Data Protection Rules

It is the policy of _____ to adhere to the six Data Protection principles that are fundamental to Data Protection law.



Data Protection Policy



The principles are that personal data shall be:

- 5.1 Processed lawfully, fairly and in a transparent manner in relation to individuals.
- 5.2 Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- 5.3 Collected for specified, explicit and legitimate purposes.
- 5.4 Kept in a form which permits identification of Data Subjects for no longer than is necessary for the purposes for which the personal data are processed.
- 5.5 Accurate and where necessary kept up to date.
- 5.6 Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage.

6. Policy in Respect of Rights of the Individual (a Data Subject means an individual who is the subject of personal data)

It is the policy of _____ to ensure that the rights of the Individual are fully protected as set out below:

Rights for individuals under the GDPR include:

- a. Having subject access.
- b. Having inaccuracies corrected.
- c. Having information erased.
- d. Objecting to direct marketing.
- e. Restricting the processing of their information, including automated decision-making.
- f. Having data portability.

The rights individuals will enjoy under the GDPR are the same as those under the Data Protection Act 2018. _____ has a procedure in place for dealing with Data Subject Access Requests, which can be accessed on the community centre's website in the Data Protection section [insert web address here].

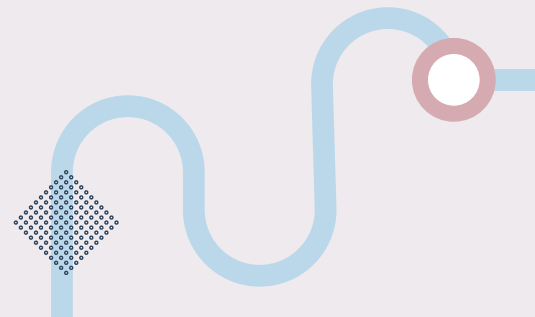
We will strive to ensure that there is no undue delay in processing an access request and, at the latest, such requests must now be concluded within one month.

7. Policy in Respect of Managing Data Protection Breaches

It is the policy of _____ to have a central point of access for Data Subject Access Requests, as well as providing assistance to requesters. A Data Subject has the right of access to personal data that has been collected concerning them; and _____ will endeavour to ensure that this right can be exercised easily. All Data Subject Access Requests will be channelled through a central point, namely the Data Champion. In the event that the Data Champion is absent or unavailable, a senior colleague will be appointed by the Data Controller to temporarily perform this duty.



Data Protection Policy



A Data Subject Access Request must meet certain requirements, as specified in the Data Protections Acts. These are:

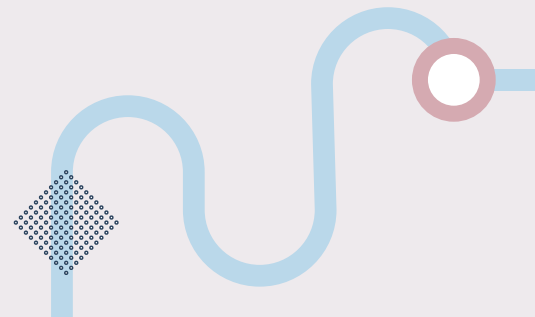
- It must be in writing.
- _____ will make reasonable enquiries to satisfy itself about the identity of the person making the request to ensure personal data is only released to those entitled to it.
- Data Subject Access Requests will be dealt with as soon as may be and, in any event, not more than one month of receipt, in accordance with the new regulations.
- If no action is taken on the request within one month, the Data Controller "shall inform the data subject of their right to lodge a complaint with the Supervisory Authority" and is deemed a refusal.
- The response time on a request may be extended by "two further months where necessary, taking into account the complexity and number of requests". This extension must be informed to the Data Subject within one month of receipt of the request, together with the reason for delay.
- In the event of receiving a very general Data Access Request, for example, "please give me everything you have on me", additional information may be sought on the nature of the request, such as the approximate date of a particular incident, our reference number, or the identity of the other party. A Data Subject Access Form, available on the community centre's website, can be used for such clarifications.
- While there is no charge for making a Data Access Request, where requests are manifestly unfounded or excessive, especially because of their repetitive nature, the Data Controller may charge a reasonable fee or refuse to act on the request.
- The Data Controller shall provide a copy of the personal data to the requester. If further copies are requested by the Data Subject, the Data Controller may charge a reasonable fee based on administrative costs.

The policy and Procedure in relation to requests by An Garda Síochána (or other law enforcement or investigation agencies) for access to data from the community centre's records in relation to the prevention, detection or prosecution of offences or investigations of incidents is that any such request should:

- Be made in writing.
- Provide detail in relation to the data required.
- State the reason it is required.
- Quote the relevant legislation that applies to their request for data.
- Be signed by a person at management level in the organisation, for example, Garda in charge or investigating manager.



Data Protection Policy



8. Policy in Respect of Restriction on the Rights of Access

It is the policy of _____ to examine each request to ensure that data which can be released is released and that restrictions on release under the Acts are adhered to.

The release of records and data is governed by the Data Protection Act. Some of these include:

- a. National security or defence.
- b. Public security.
- c. The prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties.
- d. Other important objectives of general public interest of the Union or of a Member State.
- e. The protection of judicial independence and judicial proceedings.
- f. The protection of the data subject or the rights and freedoms of others.
- g. The enforcement of civil law claims.

9. 1 Policy in Respect of CCTV

_____ has a policy in respect of the CCTV Systems it operates. The policy will distinguish between private and public CCTV. It will provide for a maximum 35-day retention period, which will be followed by the deletion of images (apart from exceptional circumstances), and restricted access to monitors, servers and recording equipment and security to ensure that images are neither deleted nor modified.

9.2 Child Protection policy

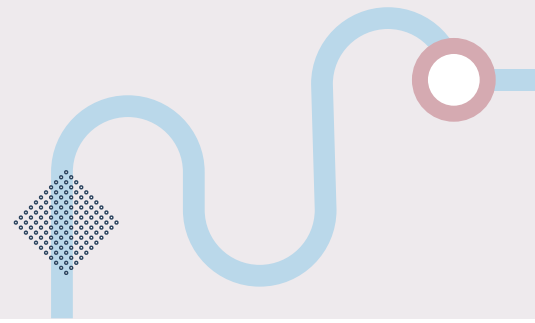
In accordance with the Children's First Act 2015 and Children First: National Guidance for the Protection and Welfare of Children (2017), _____ has a policy in place in respect of child safeguarding, which is available on request or through the Centre's website. Implementation of this policy will be conducted in a manner consistent with the Data Protection policy.

10. Policy in Respect of the Review of this policy Document

It is the policy of _____ to review this policy annually in light of its operations and in terms of new legislative or other relevant factors and following guidance from the Office of the Data Protection Commissioner.



Data Protection Policy



PRIVACY STATEMENT

DATA PROTECTION

The EU GDPR 2016/679, and Data Protection Act 2018 mean that _____ must be fair in how it handles and stores any personal information we collect. The Acts protect personal privacy and rights of individuals by restricting how _____ uses and shares your personal information.

When you give us personal information, you have rights regarding how this information is used. _____ has a duty to keep your details private and safe.

We must protect any Personal Data that is:

- Held on computer.
- Held on paper or in any other manual filing system.
- In the form of photographs, CCTV, video recordings, an individual's image or recordings of their voice.

_____ **must ensure that an individual's personal data is always:**

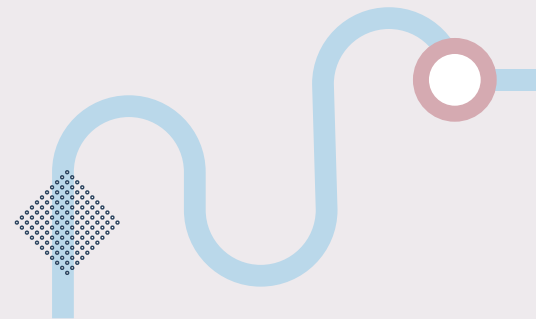
- Processed lawfully, fairly and in a transparent manner.
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- Adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed.
- Accurate and, where necessary, kept up to date.
- Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed.
- Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organisational measures.

When _____ records personal data, about you, you have a right to know:

- a. The contact details of _____'s data protection assigned person.
- b. How your personal data will be used, and why.
- c. What other agencies, if any, your data may be shared with.



Data Protection Policy



In addition, to ensure that _____ is acting in a fair and transparent manner, you have the right to know the following:

- a. How long _____ we will keep your personal data for, and why.
- b. That you have the right to request access to your personal data, to a copy of it, to have any inaccuracies rectified, to have it erased (under certain circumstances), to object to its use, and to having it transferred (data portability). In some circumstances, you may be entitled to obtain your personal data from a data controller in a format that makes it easier to reuse your information in another context, and to transmit this data to another data controller of your choosing without hindrance. This is referred to as the right to data portability.
- c. That you have the right to lodge a complaint with a supervisory authority.
- d. Of the existence of any automated decision-making, including profiling, and the reasons for it.

How to Access your Personal Data

Under Article 12 of the EU GDPR 2016/679, you have a right to find out, free of charge, if the _____ holds information about you. You can also find out what information we have and why we have it.

_____ must respond to your request for such information within one month.

Under Article 15 of the EU GDPR 2016/679, you have a right to get a copy of any personal information we have in any format we have it. You are entitled to know where we got the information, how it has been used and if it has been passed on to anyone else.

To help us deal with your Data Subject Access Request you may be asked for any of the following:

- Proof of identity.
- Current or previous postal address.
- Whether you need specific or all information held by _____.

_____ provides a **Data Subject Access Request Form** (see attached) to facilitate a Data Subject Access Request.

All requests for personal data held by _____ must be made in writing by post or email to the Data Protection Champion, as follows:

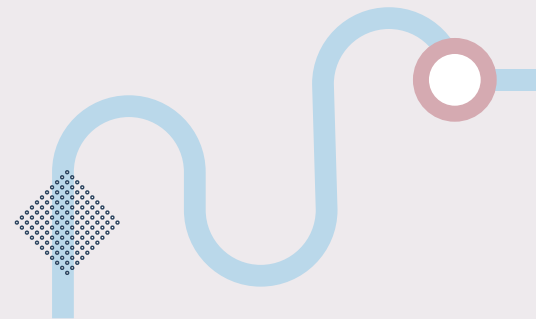
_____ *Manager*
The Fingal Area

Identified Email Contact	
--------------------------	--

Acknowledgement of receipt of the Subject Access Request Form will be made within five working days.



Data Protection Policy



DATA PROTECTION POLICIES AND PRIVACY NOTICES

Upholding your rights – Data Protection Commissioner

If you feel _____ is not respecting your data protection rights, please contact us. If you are not satisfied with our response, you may contact the Office of the Data Protection Commissioner as follows:

The Office of the Data Protection Commissioner

Canal House, Station Road, Portarlinton, Co. Laois

LoCall: 1890 252 231, Telephone: 057 8684800, Fax: 057 8384757

Email: info@dataprotection.ie

Website: <http://www.dataprotection.ie>

SUBJECT ACCESS REQUEST FORM

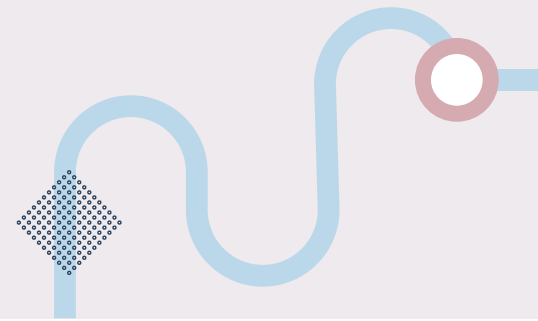
Request for Access to Personal Data under the (EU) GDPR and the Data Protection Acts, 1988 to 2018.

Please note:

1. A Request in writing can be made and signed by the applicant.
2. An acceptable form of Proof of Identity must accompany this Subject Access Request Form.
3. Within the terms of the GDPR, _____ will respond to your request for personal data within one month. In some circumstances, where requests are complex or numerous, this period may be extended
4. Where a request is manifestly unfounded, excessive, of a repetitive nature, or where more than one copy is sought, a fee may apply.
5. _____'s privacy Statement is set out at the end of this form.
6. If the application is being made through a solicitor, a signed form consenting to the release of data to the solicitor is required.
7. Third-party requests by a parent / guardian requires their identification documents.



Data Protection Policy

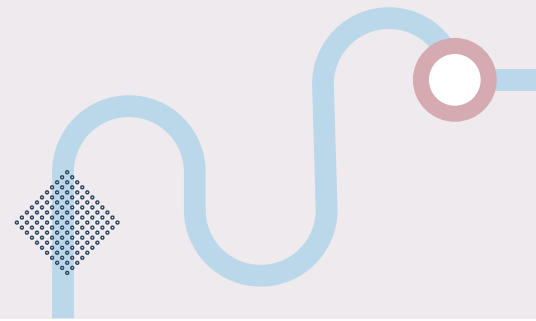


PLEASE COMPLETE ALL PARTS OF THE FORM

Full name:	
Postal address (including Eircode):	
Telephone number:	
Email address:	
Please outline details of the data sought:	
To assist us in locating the data requested, please indicate the location within _____ where you believe your personal data may be located:	
An individual should indicate the relevant time period for the data being sought:	
Please provide any previous reference numbers relating to your contact with _____:	



Data Protection Policy



Enter Centre Name Here	
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VERIFICATION OF IDENTITY

For us to verify your identity, please provide the following information: a copy of photographic identification (ID), such as a passport or a driving licence and a copy of a recent utility bill or Government letter issued within the last three months to your current address.

I _____ [insert name] wish to have access to my personal data or identifiable images that I believe _____ retains on me, as outlined below.

I declare that all the details I have provided in this form are true and complete to the best of my knowledge.

Name	
------	--

Signed	
--------	--

Date	
------	--

If you have ticked "No" to any question below, we regret we cannot process your request.

Please return this form to:

Data Protection Champion, _____

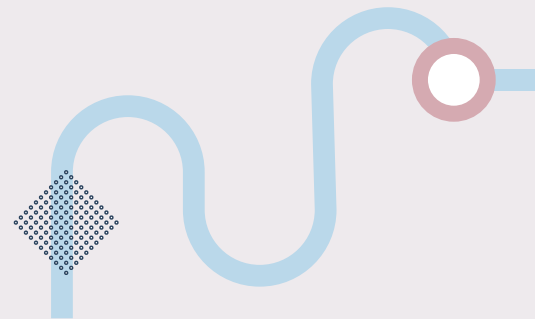
Address	
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Or Email	
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Further information on Data Protection Subject Access Requests can be found on the website of the Data Protection Commission – www.dataprotection.ie



Data Protection Policy



Checklist: have you:

- 1.** Completed the Subject Access Request Form in full? Yes / No.
- 2.** Signed and dated the Declaration on the Subject Access Request Form? Yes / No.
- 3.** Included an appropriate form of photographic ID? Yes / No.
- 4.** Included a copy of a recent utility bill or government letter? Yes / No.
- 5.** Included letter of consent to your solicitor (where applicable)? Yes / No.

Privacy Statement: _____ processes all personal information in accordance with the GDPR and the Data Protection Acts 1988 to 2018. Further information in relation to this is available on our website at INSERT WEB ADDRESS.

