



DUNGARVAN LIONS CLUB

DATA PROTECTION POLICY

NOV 2018



Dungarvan Lions Club

Data Protection Policy

INTRODUCTION

The purpose of this document is to provide a concise policy statement regarding the Data Protection obligations of Dungarvan Lions Club. This includes obligations in dealing with personal data, in order to ensure that the organisation complies with the requirements of the relevant Irish legislation, namely the General Data Protection Regulation (GDPR) 2018, the Irish Data Protection Act (1988), and the Irish Data Protection (Amendment) Act (2003).

DEFINITIONS

For a full list of definitions used in this policy, see Appendix 1

RATIONALE

Dungarvan Lions Club must comply with the Data Protection principles set out in the relevant legislation. This Policy applies to all Personal Data collected, processed and stored by Dungarvan Lions Club in relation to its members, service providers and clients in the course of its activities. Dungarvan Lions Club makes no distinction between the rights of Data Subjects who are members, and those who are not. All are treated equally under this Policy.

SCOPE

The policy covers both personal and sensitive personal data held in relation to data subjects by Dungarvan Lions Club. The policy applies equally to personal data held in manual and automated form.

All Personal and Sensitive Personal Data will be treated with equal care by Dungarvan Lions Club. 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 associated procedures section which is contained in Appendix 2 of this document.

DUNGARVAN LIONS CLUB AS A DATA CONTROLLER

In the course of its daily organisational activities, Dungarvan Lions Club acquires, processes and stores personal data in relation to:

- Members of Dungarvan Lions Club
- Clients of Dungarvan Lions Club

- Third party service providers engaged by Dungarvan Lions Club

In accordance with the Irish Data Protection legislation, this data must be acquired and managed fairly. Not all members will be expected to be experts in Data Protection legislation. However, Dungarvan Lions Club is committed to ensuring that its members have sufficient awareness of the legislation in order to be able to anticipate and identify a Data Protection issue, should one arise. In such circumstances, members must ensure that the Data Protection Officer is informed in order that appropriate corrective action is taken.

Due to the nature of the services provided by Dungarvan Lions Club, there is occasional exchange of personal data between Dungarvan Lions Club and its Data Subjects. In addition, Dungarvan Lions Club periodically exchanges personal data with Data Processors on the Data Subjects' behalf.

This is consistent with Dungarvan Lions Club's obligations under the terms of its contract with its Data Processors.

This policy provides the guidelines for this exchange of information, as well as the procedure to follow in the event that a Dungarvan Lions Club member is unsure whether such data can be disclosed.

In general terms, the members should consult with the Data Protection Officer to seek clarification.

SUBJECT ACCESS REQUESTS

Any formal, written request by a Data Subject for a copy of their personal data (a Subject Access Request) will be referred, as soon as possible, to the Data Protection Officer, and will be processed as soon as possible.

It is intended that by complying with these guidelines, Dungarvan Lions Club will adhere to best practice regarding the applicable Data Protection legislation.

THE DATA PROTECTION PRINCIPLES

The following key principles are enshrined in the Irish legislation and are fundamental to the Dungarvan Lions Club's Data Protection policy.

In its capacity as Data Controller, Dungarvan Lions Club ensures that all data shall:

1. ... BE OBTAINED AND PROCESSED FAIRLY AND LAWFULLY.

For data to be obtained fairly, the data subject will, at the time the data are being collected, be made aware of:

- The identity of the Data Controller (Dungarvan Lions Club)
- The purpose(s) for which the data is being collected
- The person(s) to whom the data may be disclosed by the Data Controller

- Any other information that is necessary so that the processing may be fair.

Dungarvan Lions Club will meet this obligation in the following way.

- Where possible, the informed consent of the Data Subject will be sought before their data is processed;
- Where it is not possible to seek consent, Dungarvan Lions Club will ensure that collection of the data is justified under one of the other lawful processing conditions – legal obligation, contractual necessity, etc.;
- Processing of the personal data will be carried out only as part of Dungarvan Lions Club’s lawful activities, and Dungarvan Lions Club will, at all times, safeguard the rights and freedoms of the Data Subject;
- The Data Subject’s data will not be disclosed to a third party other than to a party contracted to Dungarvan Lions Club and operating on its behalf.

2. BE OBTAINED ONLY FOR ONE OR MORE SPECIFIED, LEGITIMATE PURPOSES.

Dungarvan Lions Club will obtain data for purposes which are specific, lawful and clearly stated. A Data Subject will have the right to question the purpose(s) for which Dungarvan Lions Club holds their data, and Dungarvan Lions Club will be able to clearly state that purpose or purposes.

3. NOT BE FURTHER PROCESSED IN A MANNER INCOMPATIBLE WITH THE SPECIFIED PURPOSE(S).

Any use of the data by Dungarvan Lions Club will be compatible with the purposes for which the data was acquired.

4. BE KEPT SAFE AND SECURE.

Dungarvan Lions Club 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 Dungarvan Lions Club in its capacity as Data Controller.

Access to and management of members and client data is limited to those members who have appropriate authorisation and password access.

5. ... BE KEPT ACCURATE, COMPLETE AND UP-TO-DATE WHERE NECESSARY.

Dungarvan Lions Club will:

- ensure that administrative 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. Members contact details and details on next-of-kin are reviewed and updated once each calendar year.

- conduct regular assessments in order to establish the need to keep certain Personal Data.

6. ... BE ADEQUATE, RELEVANT AND NOT EXCESSIVE IN RELATION TO THE PURPOSE(S) FOR WHICH THE DATA WERE COLLECTED AND PROCESSED.

Dungarvan Lions Club will ensure that the data it processes in relation to Data Subjects are relevant to the purposes for which those data are collected. Data which are not relevant to such processing will not be acquired or maintained.

7. ... NOT BE KEPT FOR LONGER THAN IS NECESSARY TO SATISFY THE SPECIFIED PURPOSE(S).

Dungarvan Lions Club has identified a 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.

Once the respective retention period has elapsed, Dungarvan Lions Club undertakes to destroy, erase or otherwise put this data beyond use.

8. ... BE MANAGED AND STORED IN SUCH A MANNER THAT, IN THE EVENT A DATA SUBJECT SUBMITS A VALID SUBJECT ACCESS REQUEST SEEKING A COPY OF THEIR PERSONAL DATA, THIS DATA CAN BE READILY RETRIEVED AND PROVIDED TO THEM.

Dungarvan Lions Club 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.

DATA SUBJECT ACCESS REQUESTS

As part of the day-to-day operation of the organisation, Dungarvan Lions Club's members engage in occasional exchanges of information with Data Subjects. Where a formal request is submitted by a Data Subject in relation to the data held by Dungarvan Lions Club, such a request gives rise to access rights in favour of the Data Subject.

There are specific time-lines within which Dungarvan Lions Club must respond to the Data Subject, depending on the nature and extent of the request. These are outlined in the Subject Access Request process in Appendix 1.

Dungarvan Lions Club's members will ensure that, where necessary, such requests are forwarded to the Data Protection Officer in a timely manner, and they are processed as quickly and efficiently as possible, but within not more than one month from receipt of the request.

IMPLEMENTATION

As a Data Controller, Dungarvan Lions Club 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 Dungarvan Lions Club's data in a compliant manner will be viewed as a breach of contracts.

Failure of Dungarvan Lions Club's members to process Personal Data in compliance with this policy may result in disciplinary proceedings.

Appendix 1 - DEFINITIONS

For the avoidance of doubt, and for consistency in terminology, the following definitions will apply within this Policy.

Dungarvan Lions Club

Dungarvan Lions Club is a Club within District 133I (Lions Clubs) and was formed in 1978. District 133I is a registered Charity (Charity No. : CHY 15707). This district covers the island of Ireland and, in turn, is part of Lions Club International. Lions International is the largest voluntary service organisation in the world with 1.4 million members in 206 countries and dependencies. Lions are men and women who volunteer their time for humanitarian causes, especially in their local communities.

Client

Client refers to any living person who is a recipient of assistance from Dungarvan Lions and/or any living person (apart from members of Dungarvan Lions Club) whose personal data is stored or processed by Dungarvan Lions Club.

Data

This includes both automated and manual data.

Automated data means data held on computer, or stored with the intention that it is processed on computer.

Manual data means data that is processed as part of a relevant filing system, or which is stored with the intention that it forms part of a relevant filing system.

Personal Data

Information which relates to a living individual, who can be identified either directly from that data, or indirectly in conjunction with other data which is likely to come into the legitimate possession of the Data Controller.

Sensitive Personal Data

A particular category of Personal data, relating to: Racial or Ethnic Origin, Political Opinions, Religious, Ideological or Philosophical beliefs, Trade Union membership, Information relating to mental or physical health, information in relation to one's Sexual Orientation, information in relation to commission of a crime and information relating to conviction for a criminal offence.

Data Controller

A person or entity who, either alone or with others, controls the content and use of Personal Data by determining the purposes and means by which that Personal Data is processed.

Data Subject

A living individual who is the subject of the Personal Data, i.e. to whom the data relates either directly or indirectly.

Data Processor

A person or entity who processes Personal Data on behalf of a Data Controller on the basis of a formal, written contract, but who is not an employee of the Data Controller, processing such Data in the course of his/her employment.

Data Protection Officer

A person appointed by Dungarvan Lions Club to monitor compliance with the appropriate Data Protection legislation, to deal with Subject Access Requests, and to respond to Data Protection queries from members and clients.

Relevant Filing System

Any set of information in relation to living individuals which is not processed by means of equipment operating automatically (computers), and that is structured, either by reference to individuals, or by reference to criteria relating to individuals, in such a manner that specific information relating to an individual is readily retrievable.

APPENDIX 2 – PROCEDURES

2.1 Data Access Procedure

Under Article 13 and 14 of the GDPR, a data subject has a right to be informed as to how his/her personal data is being processed (stored, handled or used) by an organisation. In particular, at the time Dungarvan Lions Club obtains personal data from the data subject, it should advise him/her of (among other things), the purpose(s) of - and legal basis for - the processing of their data; any other recipient(s) of their data) and how long it retains their data

Moreover, where the personal data has not been obtained directly from a client, Dungarvan Lions Club must provide the client with additional information relating to the types of personal data it holds and how it obtained this data.

Under Article 15 of the GDPR, every data subject has a right to obtain a copy, of any information relating to him/her kept on computer or in a structured manual filing system or intended for such a system by any organisation.

For a Data Access Request, all that a data subject needs to do is write to an officer of Dungarvan Lions Club and request, under the GDPR, a copy of the personal data it holds in relation to him/her.

A sample of this is as follows:

Dear
...
I wish to make an access request under Article 15 of the General Data Protection Regulation (GDPR) for a copy of any information you keep about me, on computer or in manual form in relation to...
(Please be as specific as possible in relation to the personal data you wish to access).

Once a Data Access Request has been received, the officer of Dungarvan Lions Club should contact the Data Protection Officer in the Club. The data subject may be asked to provide evidence of his/her identity. This is to make sure that personal information is not given to the wrong person.

This information should be provided to the data subject within a reasonable period, and at the latest within a month of the organisation obtaining the data access request. It is the responsibility of the officers of Dungarvan Lions Club, in association with the Data Protection Officer of the Club, to ensure that a response to the Data Access Request is given to the data subject within this period.

Further information for Data Subjects on how to make a Data Access Request is given at this link: <https://www.dataprotection.ie/docs/Making-an-Access-Request/1715.htm>

2.2 Data Retention and Destruction Policy & Procedure and the Data Retention Periods List

In accordance with the relevant legislation, it is the policy of Dungarvan Lions Club to retain personal data for no longer than is necessary for the purpose or purposes for which it was collected.

It is a key requirement of Data Protection legislation as personal data collected for one purpose cannot be retained once that initial purpose has ceased.

There is a responsibility on Dungarvan Lions Club to be clear about the length of time for which data will be kept and the reason why the information is being retained. Equally, as long as personal data is retained the full obligations of the Acts attach to it. If you don't hold it anymore then the Acts don't apply.

It is the responsibility of the Data Protection Officer in the Club to ensure that files are regularly purged and that personal information is not retained any longer than necessary. This can include appropriate anonymisation of personal data after a defined period if there is a need to retain non-personal data.

Retention Periods

- Contact details and contact details of next to kin of Club members shall be held for the lifetime of that member, unless the member or his/her next to kin requests that these details be removed from the Club member database. The reason for this is that from time to time anniversary events are celebrated in the Club and the Club may wish to invite former members back to these events.
- Client contact details and files relating to request for help from clients shall be held for 15 months from the time the request for help was made. This applies in particular to requests for assistance from the Annual Christmas Appeal Fund and Trabolgan Holiday Project.
- Client contact details and files relating to request for help from clients under the Educational Fund Scheme shall be held for a period of 15 months from the time the last request for assistance was made. This is to take account of the fact that often assistance under this scheme can be ongoing for a number of years. Clients will be advised, where appropriate, that they should re-apply for assistance each year.

2.3 Data Loss Notification procedure.

This Procedure addresses situations where personal data has been put at risk of unauthorised disclosure, loss, destruction or alteration. The focus of the Office of the Data Protection Commissioner in such cases is on the rights of the affected data subjects in relation to the processing of their personal data.

Where an incident gives rise to a risk of unauthorised disclosure, loss, destruction or alteration of personal data, in manual or electronic form, Dungarvan Lions Club, in its role as a Data Controller, must give immediate consideration to informing those affected. Such information permits data subjects to consider the consequences for each of them individually and to take appropriate measures. Where appropriate, Dungarvan Lions Club should also notify organisations that may be in a position to assist in protecting data subjects including, where relevant, An Garda Síochána, financial institutions etc.

All incidents in which personal data has been put at risk should be reported to the Office of the Data Protection Commissioner as soon as Dungarvan Lions Club becomes aware of the incident, except when the full extent and consequences of the incident has been reported without delay directly to the affected data subject(s) **and** it affects no more than 100 data subjects **and** it does not include sensitive personal data or personal data of a financial nature.

In any case of doubt, Dungarvan Lions Club will report the incident to the Office of the Data Protection Commissioner.