

**Document:** Data protection policy

**Topic:** General

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#### Document Revision History

| Revision | Description | By                           | Checked by | Date       |
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| 0        | Issued      | Aoife Hamill                 | -          | 24/05/2018 |
| 1        |             | Helen<br>Richardson<br>Doyle |            | 28/05/2018 |
|          |             |                              |            |            |

## **1 Introduction**

FDT 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 FDT in relation to its staff, service providers and clients in the course of its activities. FDT makes no distinction between the rights of Data Subjects who are employees, and those who are not. All are treated equally under this Policy.

The company's data protection policy is described in the Staff Handbook. This document provides further detail on specific areas and should be read in conjunction with the Staff Handbook.

## **2 Legislation**

### **2.1 GDPR**

The General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) is a regulation by which the European Parliament, the Council of the European Union and the European Commission intend to strengthen and unify data protection for all individuals within the European Union (EU).

### **2.2 Data Subject**

The Data Subject is a living individual to whom personal data relates.

### **2.3 Rights of a Data Subject**

The Data Protection Act gives rights to individuals in respect of the personal data that organisations hold about them. The Act says that:

Personal data shall be processed in accordance with the rights of data subjects under this Act.

This is the sixth data protection principle, and the rights of individuals that it refers to are:

- a right of access to a copy of the information comprised in their personal data;
- a right to object to processing that is likely to cause or is causing damage or distress;
- a right to prevent processing for direct marketing;
- a right to object to decisions being taken by automated means;
- a right in certain circumstances to have inaccurate personal data rectified, blocked, erased or destroyed; and
- a right to claim compensation for damages caused by a breach of the Act

## **3 Personal Data**

### ***3.1 Staff personal data***

FDT retains the following information on current staff for payroll purposes. This data is collected directly from members of staff.

1. Name
2. Address
3. Bank details
4. PPS No.

FDT will store this data in line with Revenue requirement, which is six years. Payroll data for staff who occasionally work for the company is retained unless deletion is requested by the member of staff.

### ***3.2 Customer personal data***

FDT's customers are generally companies rather than private individuals and therefore customer personal data apart from names and contact information is not normally gathered or stored.

### ***3.3 Interviews***

No formal notes are taken in interviews.

### ***3.4 Sensitive personal data***

FDT's policy is to hold no sensitive personal data.

## **4 Customer Data**

Customer data shall not be shared with third parties unless customer has given permission.

Care shall be taken by employees that customer data is protected e.g. all drawings and documents are properly disposed of.

## **5 Data destruction**

Hard copies of documents are shredded by specialist contractor.

## **6 Data Subject Access Requests**

Data Subject access requests must be made in writing and give any details which might be needed to help identify him or her and locate all the information FDT may keep about him/her (e.g., previous addresses, customer account numbers). Data Subject access requests incur an access fee of €5.

In response to the request, FDT will provide the following in soft copy format:

- (a) a copy of the data,
- (b) a description of the purposes for which it is held,
- (c) a description of those to whom the data may be disclosed and
- (d) the source of the data unless this would be contrary to public interest

FDT's staff will ensure that such requests are processed as quickly and efficiently as possible, and within not more than 40 days from receipt of the request.

FDT will provide personal information only to the individual concerned (or someone acting on his or her behalf and with their authority). Personal information will not be provided by phone.

## 7 Definitions

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

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| <b>Data</b>                    | This includes both automated and manual data.<br>Automated data means data held on computer, or stored with the intention that it is processed on computer.<br>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.   |
| <b>Personal Data</b>           | 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. (If in doubt, FDT refers to the definition issued by the Article 29 Working Party, and updated from time to time.)   |
| <b>Sensitive Personal Data</b> | 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. |
| <b>Data Controller</b>         | 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.   |
| <b>Data Subject</b>            | A living individual who is the subject of the Personal Data, i.e. to whom the data relates either directly or indirectly.  |

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| <b>Data Processor</b>  | 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.   |
| <b>Relevant System</b> | <b>Filing</b> 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. |

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## 8 Privacy and security incident response

If a security incident occurs, FDT will inform the person(s) in question and the data commissioner in line with GDPR requirements.