

Diocese of Elphin – HR Policy Handbook

Document Name: Processing Personal Data Policy
Document No: 3.1.10 (original)
Effective Date: 15th February 2019
Written By: Frank Mitchell, HR Advisor
Approved By: +Kevin Doran, Bishop of Elphin



Operating under the patronage of Our Lady of the Immaculate Conception, the Diocese of Elphin aims to provide staff members with a safe, caring and supportive Christian environment in which to carry out their work. Work objectives are to be advanced with due regard to the needs and dignity of each staff member and with due regard for the individuals and communities the diocese serves.

This document outlines the Diocesan policy on Processing Personal Data. It is applicable to parishes, offices, agencies and any entity operating under the governance of the Diocese of Elphin (hereafter referred to as “the employer”). Line Managers (Bishop, Priests, Deacons, Religious, Lay Personnel who supervise staff members) are responsible for communicating this policy and having it signed off by their staff member(s).

Introduction

There are 8 main principles of data protection which form the basis for compliance with Data Protection legislation in Ireland. Adherence to these rules is fundamental to compliance with legislation, ie. The Data Protection Acts 1988 and 2003 and General Data Protection Legislation (GDPR), [May 2018].

Data Controllers

Data Controllers are those who, either alone or with others, control the contents and use of personal data. (All priests/managers and those who act on their behalf).

Data Subjects

Data Subject is an individual who is the subject of personal data. The privacy rights of individuals are safeguarded in relation to the processing of their personal data. The Data Protection Acts 1988 and 2003 and General Data Protection Legislation (GDPR), [May 2018] confer rights on individuals as well as placing responsibilities on those persons controlling and/or processing personal data.

Responsibilities

All individuals processing data, must be aware of your data protection responsibilities, in particular, to process personal data fairly. You and all staff members must be familiar with the diocesan Data Protection Policy (3.1.1) that is relevant to the personal data held by you.

Commissioner for data protection

The role of the Data Protection Commissioner (DPC) is to ensure that those who keep personal data comply with the provisions of the Data Protection Acts and GDPR (May 2018). The DPC has a wide range of enforcement powers to assist in ensuring that the principles of data protection are being observed. Data controllers and/or data processors found guilty of an offence under data protection law may be subject to fines and/or other enforcement mechanisms.

The Eight Main Rules of Data Protection:

1. Obtain and process information fairly
2. Keep it only for one or more specified, explicit and lawful purposes
3. Process it and disclose it only in ways compatible with these purposes
4. Keep it safe and secure
5. Keep it accurate, complete and up-to-date
6. Ensure that it is adequate, relevant and not excessive
7. Retain it for no longer than is necessary for the specified purpose
8. Give a copy of his/her personal data to an individual, on request

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Consent from individuals must be "freely given, specific, informed and unambiguous". Silence, pre-ticked boxes or inactivity will not constitute consent. Parental consent is required for minors. An individual has the right to withdraw consent at any time.

Basic Data Protection Checklist

1. Are the individuals whose data you collect aware of your identity?
2. On the collection of personal data, have you told the data subject what use you make of his/her data? Do you restrict all processing of personal to the purposes communicated to data subjects?
3. Are the disclosures you make of that data legitimate ones? Are data subjects made aware of any disclosures to third parties?
4. Do you have appropriate security measures in place both internally and externally to ensure all access to data is appropriate?
5. Do you have appropriate procedures in place to ensure that each data item is kept up-to-date, accurate and not excessive for your specified purpose?
6. Are you compliant with the diocesan policy on retention periods for all items of personal data? (Policy 3.1.11)
7. Are you familiar with the diocesan data protection policy (3.1.1) and the procedure for requesting information therein.
8. Do you regularly review and audit the data which you hold and the manner in which it is processed?
9. Has responsibility been assigned for maintaining a list of all personal data and the purposes associated with each?
10. If an individual asked you to justify every bit of information you hold about him/her could you do so?

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