



## Document Control

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1.0	Information & Communication Technology Manager	Review	CEO/CEO PA
2.0	Information & Communication Technology Manager	Review of entire policy	SMT

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<b>Sunbeam House Services Policy Document</b>	<b>Title: Data Protection Policy</b>
	<b>Effective Date: 30 June 2020</b>



**1.0 POLICY STATEMENT:**

Sunbeam House Services (SHS) needs to collect and use data (information) for a variety of purposes about its staff, service users and other individuals who come in contact with Sunbeam.

The purposes of processing data include the organisation and administration of service provision, the recruitment and payment of staff, compliance with statutory obligations, etc.

Data Protection is the safeguarding of the privacy rights of individuals in relation to the processing of personal data. The following legislation is relevant in the implementation of this policy:

- Data Protection Act 2018
- General Data Protection Regulation (GDPR)
- Data Sharing and Governance Act 2019
- Freedom of Information Acts 1997, 2003 and 2018

Personal data, both automated and manual are data relating to a living individual who is or can be identified, either from the data or from the data in conjunction with other information.

**2.0 SCOPE:**

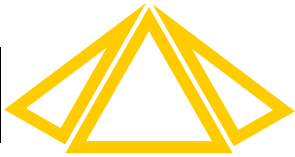
This policy is a statement of SHS’s commitment to protect the rights and privacy of individuals in accordance with the legislation listed above.

This is an overarching policy in relation to all information created, received, and maintained to carry out the business of Sunbeam House Services (SHS).

It applies to records of all formats including paper-based records, audio-visual records, electronic records i.e. records which are generated electronically and stored by means of technology.

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### 3.0 Policy

SHS will administer its responsibilities under the seven principals underpinning the European General Data Protection Regulations (GDPR)

**Fair, lawful, and transparent processing of personal information (GDPR Principle 1) and Purpose limitation (GDPR Principle 2)**

SHS need to process (e.g. capture, maintain, use, delete etc.) personal information about people to carry out its work. SHS will do its best to make sure people understand why we are doing this and how the information will be used.

If SHS needs to process an individual’s personal information for any reason other than to carry out its work, SHS will get the permission of that individual. When the individual does not want this, their wishes will be recorded and respected.

When a person has difficulty understanding or giving permission, they will be supported to make their decision.

SHS will only keep personal information for as long as necessary.

Where SHS keeps personal information on an individual, the individual has a right to:

- I. know from where the information about them came from
- II. know why the information is kept about them
- III. know to whom the information is passed on to
- IV. know how the information about them is used to make decisions
- V. receive a copy of the information that SHS keeps about them

A person can ask to see the information kept about them by contacting their Client Service Manager (CSM)

In some cases, it may not be possible to give a person the information they ask for because of the rules laid out in the current Data Protection legislation. (see [www.dataprotection.ie](http://www.dataprotection.ie))

SHS will ensure that all personal information will only be processed for specified, explicit and legitimate purposes.

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**Ensuring personal information is adequate, relevant, and not excessive (GDPR Principle 3)**

As part of the standard process review, Process Owners in SHS will review the personal information gathered by that process and make sure it is only used for what is needed for that process.

If a staff member thinks something should be changed about how personal information is processed, they should inform their CSM, who will in turn ask the Process Owner to review this practice.

**Retention and Disposal of personal information (GDPR Principle 5)**

SHS will maintain Record Retention schedules which set out how long personal information should be kept and how this information will dispose of.

Records will be destroyed in a way that is irreversible and ensures there is no reasonable risk that the information may be retrieved, e.g. shred paper records, delete computer-based records from the recycle bin, certified destruction of computer hard drives from old equipment.

**Keeping personal information confidential, safe and secure (GDPR Principle 6)**

SHS will keep personal information safe and secure by:

- Securely locking non-electronic personal information away when not in use.
- Storing electronic information on secure cloud systems, password protected PCs or encrypted laptops.
- Not putting any personal information on memory sticks, even temporarily.
- Using passwords/PINs on computers and smart phones and maintaining multi-factor authentication (MFA) wherever possible
- Immediately downloading any photos or videos onto password protected computers and deleting them from phones or camera/camcorder
- Following the acceptable usage policy when using email or any methods of communication
- Maintaining the privacy of individuals when talking about people on the phone or in person

Staff will have restricted access to information based on their role.

Companies contracted by SHS to process personal information will have a Data Processing Agreement in their contract governing the processing of personal information and detailing their responsibilities.

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When staff share personal information with relevant people within SHS, they will only tell them the information they need to know, at the time they need to know it and nothing more.

Staff will only share an individual's personal information with someone outside of SHS with permission from that individual. However, staff may need to share personal information without permission from the individual in certain circumstances such as:

- If they are in immediate danger
- medical emergency
- law or court order
- concern of abuse or neglect

A staff member will talk to their CSM or Line Manager if they are unsure about using or sharing personal information.

### **Ensuring Accountability for Data Protection (GDPR Principle 7)**

SHS will have a named person to act as Data Protection Officer

SHS will keep relevant logs and assessments in line with the requirements of GDPR such as Processing Logs and Data Protection Impact Assessments.

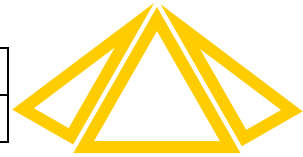
SHS will provide training for staff to help them understand how best to manage and protect personal information.

Staff will inform their CSM or Line Manager as soon as possible after they become aware that personal information has been lost, stolen or shared with somebody not entitled to it. They will also report the incident on the Data Breach Report

The Data Protection Officer will review Data Breaches in consultation with relevant others and decide on the actions required in line with GDPR requirements.

Line Managers will ensure an individual whose personal information has been lost, stolen or shared with somebody not entitled to it, is informed of the breach, in line with the principles of Open Disclosure.

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#### **4.0 RESPONSIBILITIES:**

SHS has overall responsibility for ensuring compliance with the Data Protection legislation. However, all employees of SHS who collect and/or control the contents and use of personal data are also responsible for compliance with the Data Protection legislation.

SHS will provide through the Data Protection Officer, support, assistance, advice and training to all locations, offices and staff to ensure it is in a position to comply with the legislation.

#### **5.0 GUIDELINES:**

This policy supports the provision of a structure to assist in SHS's compliance with the Data Protection legislation, including the provision of best practice guidelines and procedures in relation to all aspects of Data Protection.

Any queries with regards to Data Protection please contact SHS's Data Protection Officer.

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