



Trócaire Data privacy policy (Global)

Table of CONTENTS

POLICY MANAGEMENT INFORMATION	2
DECISION-MAKING IN RELATION TO THE POLICY	2
KEY MESSAGES	3
1. Purpose/ Introduction.....	4
2. Definitions.....	4
3. Scope.....	6
4. Policy Principles/ Policy Statement.....	6
4.1. Information Trócaire collects.....	6
4.2. Processing your Personal Information.....	7
4.3. How we protect your personal data	8
4.4. Sharing your information	10
4.5. Fundraising and Trócaire Public Engagements	10
4.6. International Transfers	10
4.7. Fairness and Transparency.....	10
4.8. Your Rights as a Data Subject.....	11
4.9. Review and changes to this Privacy Policy.....	11
5. Contact Information.....	12

POLICY MANAGEMENT INFORMATION

Title:	<i>Trócaire Data Privacy Policy</i>
Author (Responsible):	<i>Data Protection Officer (DPO)</i>
Owner (Accountable):	<i>Director of Corporate Services & HR</i>
Division:	<i>Corporate Services Division</i>
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Status:	<i>Approved</i>
Reviewed by (Consulted):	<i>WARD Solutions (external consultants), Data Protection and Information Security Steering Group (DPISSG)</i>
Approved by:	<i>Policy Steering Committee (PSC)</i>
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Related policies & procedures:	<i>Trócaire Data Protection Policy Trócaire Retention and Destruction of Personal Data Policy Trócaire Password and Network Access Policy Trócaire Data Breach Policy Trócaire Data Classification & Handling Rules</i>

DECISION-MAKING IN RELATION TO THE POLICY

Responsible (Author)	<i>DPO</i>
Accountable (Owner)	<i>Director of Corporate Services & HR</i>
Consulted	<i>WARD Solutions, DPISSG</i>
Informed	<i>All staff</i>

KEY MESSAGES

<p>Why do we have this policy?</p>	<p>In line with data protection requirements and good practice, Trócaire have put in place, and are able to demonstrate, appropriate and effective management of personal data throughout the organisation.</p>
<p>Who does this policy apply to?</p>	<p>This policy is both an internal and external policy document.</p> <p>Internal: All Trócaire staff, contractors, sub-contractors, consultants and authorised third party commercial service providers, students, volunteers, in all locations (referred to as “we”, “our” or “us” in this policy).</p> <p>External: All data subjects (referred to as “you” or “your” throughout the policy)</p>
<p>What are the key things I need to know?</p>	<p>Internal: We need to understand our policy position and our commitment to effectively managing personal data including reasons for collecting and processing personal data and the controls we have in place to protect personal data.</p> <p>We need to know that the collecting of sensitive data is prohibited in Trócaire except in very rare circumstances.</p> <p>External: You need to understand your rights as a data subject and who to contact should you have any queries.</p>
<p>What are the key things I need to do?</p>	<p>Internal: We need to ensure that we only collect personal data where we have a clear and lawful purpose for processing that data and that we are adhering to all controls in order to protect personal data.</p> <p>We need to ensure that all personal data including where collection of sensitive data is allowed, is documented in the Records of Processing Activities.</p>
<p>Where can I find more information?</p>	<p>Internal: More detailed information on this can be found in the internal global policy folder or please contact Trócaire’s Data Protection Officer (DPO), dpo@mailbox.ie.</p> <p>External: Please contact Trócaire’s Data Protection Officer (DPO), dpo@mailbox.ie. The DPO is responsible for responding to you (the data subject) on all issues relating to the processing of your Personal Data and the exercise of your data protection rights.</p>

1. Purpose/ Introduction

In line with data protection requirements and good practice, Trócaire wish to put in place, and be able to demonstrate, appropriate and effective management of personal data throughout the organisation.

Trócaire wishes to demonstrate commitment and compliance with the (EU) General Data Protection Regulation 2016/679 (GDPR) and applicable data protection regulations in all the countries we operate in. Fundamental to the GDPR is the principle of accountability. Controllers and processors are both responsible and accountable for the protection of personal data, and must be able to demonstrate how they maintain compliance with data protection requirements.

As a data controller, Trócaire and its staff (hereafter referred-to collectively as Trócaire) must comply with the data protection principles set out in the relevant Irish, UK, and EU legislation. As a data controller, we are required to give the data subject certain information (Articles 13 and 14 of the GDPR), such as the controller's identity, how the data subjects' data will be used, etc.

The purpose of this Data Privacy Policy is to explain how Trócaire (hereinafter referred to as "Trócaire", "we" or "us"), collect, process, store and keep secure your personal data in connection with our activities and in accordance with the GDPR.

2. Definitions

The following key terms (including certain terms defined in the GDPR) are provided here for ease of use. For a complete list of definitions, refer directly to the GDPR:

<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1465452422595&uri=CELEX:32016R0679>

1. **'Anonymisation'** is the process of turning data into a form that does not identify individuals and where identification is not likely to take place. This allows for a much wider use of the information.

Recital 26 of the 1995 Data Protection Directive, Directive 95/46/EC also clarifies anonymous information *"The principles of data protection should therefore not apply to anonymous information, namely information which does not relate to an identified or identifiable natural person or to Personal Data rendered anonymous in such a manner that the data subject is not or no longer identifiable. This Regulation does not, therefore, concern the processing of such anonymous information, including for statistical or research purposes"*.

2. **'Personal Data'** means 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.
3. **'Special categories of personal data'** refers to the processing of Personal Data 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.

Trócaire will seek to avoid processing special categories of personal data where possible. It is understood that certain business activities within Trócaire may require the processing of special categories of personal data (e.g., processing of data concerning health). The general processing of special categories of personal data is prohibited in Trócaire, and in the rare instances where it is required, Head of Departments must ensure that all processing is defined in the Records of Processing Activities, along with an appropriate legal basis for processing of such special categories of personal data recorded within the Records of Processing Activities.

4. **'Controller'** means the natural or legal person, public authority, agency, or another 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.
5. **'Data subject'** any living individual who is the subject of Personal Data held by an organisation. Data subjects within Trócaire may include members of the public, donors, volunteers, fundraisers, current, past, and prospective employees, service suppliers and other individuals with whom Trócaire communicate.
6. **'Processing'** means 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.
7. **'Processor'** means a natural or legal person, public authority, agency, or other body which processes Personal Data on behalf of the controller.
8. **'Pseudonymisation'** means the processing of Personal Data in such a manner that the Personal Data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the Personal Data is not attributed to an identified or identifiable natural person.
9. **'Recipient'** means a natural or legal person, public authority, agency, or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

3. Scope

This Privacy Policy applies to all Personal Data processed by Trócaire, regardless of the media on which the Personal Data is stored (paper-based, electronic, CCTV or otherwise). This Privacy Policy sets out the basis on which any personal data Trócaire collect from data subjects, or that may be provided by data subjects.

Failure of Trócaire staff to process personal data in compliance with this Policy may result in disciplinary proceedings.

4. Policy Principles/ Policy Statement

Trócaire believe in establishing a clear, transparent, and accountable approach to our data protection to ensure that all those who support and engage with Trócaire can do so safe in the knowledge that we will apply the same values to our data protection as we do to all our work and will handle their personal data in a secure, transparent and responsible manner with full respect for their privacy, in line with all relevant legal obligations.

4.1. Information Trócaire collects

4.1.1. *Non-Personal Data*

Trócaire may gather statistical and other analytical information collected on an aggregate basis of all visitors to our website. This Non-Personal Data comprises information that cannot be used to identify or contact data subjects, such as demographic information regarding, for example, user IP addresses (where they have been clipped or anonymised), browser types and other anonymous statistical data involving the use of our website (www.trocaire.org).

4.1.2. *Personally Identifiable Information (PII)*

Personally Identifiable Information (also referred to as Personal Data), is data that identifies individuals or can be used to identify or contact individuals.

Trócaire, as a data controller, collects, processes, and stores significant volumes of personal and sensitive personal data on an ongoing basis. Trócaire collects data about its staff, donors, supporters, partners, and programme participants who come into contact with the organisation through our fundraising or work. Processing Notices will be posted in full view of data subjects, prior to the collection of personal information.

4.1.3. *Special Category Personal Information*

Where the data processed by Trócaire can be considered sensitive or special category personal data, as defined in Article 9(1) of the GDPR, Trócaire will not collect, process, and store such data, unless permissible under the exemptions listed in Article 9(2) (a-j) of the GDPR.

4.1.4. *Employee and Staff Personally Identifiable Information*

In its role as an employer, Trócaire may keep information relating to a staff member's physical, physiological or mental well-being, as well as their economic, cultural, or social identity.

Trócaire will ensure that all staff members receive awareness raising and training on data protection. Staff who are unclear or unsure about any aspect of data protection should request help from their line manager or the DPO.

4.2. Processing your Personal Information

4.2.1. Why we process your personal information

Purpose of Processing	Lawful Basis for processing
Collection and management of donations.	Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
Fundraising and marketing, to raise funds from the public in order to achieve purpose of charity.	Processing is necessary in our legitimate interests
Digital marketing, to raise funds from the public in order to achieve purpose of charity.	The data subject has given consent to the processing of his or her personal data for one or more specific purposes.
Operations, monitoring and evaluation of our development work overseas.	Processing is necessary in our legitimate interests and to ensure the effective management of our core activities.
Operations, monitoring and evaluation of our Ireland-based work, including youth outreach, church outreach, public campaigning, advocacy, and communications work.	Processing is necessary in our legitimate interests and to ensure the effective management of our core activities.
Ensuring the safety and security of staff and premises.	Processing is necessary for compliance with a legal obligation to which the controller is subject.
Remuneration (payment) of staff.	Processing is necessary for compliance with a legal obligation to which the controller is subject.
Recruitment and management of staff.	The data subject has given consent to the processing of his or her personal data for one or more specific purposes.
Manage and respond to any requests you have made to us.	The data subject has given consent to the processing of his or her personal data for one or more specific purposes.
Help us identify you when you contact us.	The data subject has given consent to the processing of his or her personal data for one or more specific purposes.
General administration, reporting, audit, and analysis.	Processing is necessary for compliance with a legal obligation to which the controller is subject.
To invite you to any events that we might organise.	The data subject has given consent to the processing of his or her personal data for one or more specific purposes.
Comply with legal and statutory obligations. If required by any law enforcement agency, court, regulator, government authority or other third party.	Processing is necessary for compliance with a legal obligation to which the controller is subject.

Fundraising and marketing, to raise funds from the public in order to achieve purpose of charity.	Processing is necessary in our legitimate interests
Digital marketing, to raise funds from the public in order to achieve purpose of charity.	The data subject has given consent to the processing of his or her personal data for one or more specific purposes.
Carry out analysis. We may combine and analyse your personal information to help us develop and improve our services and to manage and improve our relationship with you.	The data subject has given consent (or in the context of fundraising and marketing, we have a legitimate interest) to the processing of his or her personal data for one or more specific purposes.

4.2.2. *How we process your Personal Information*

Where personal data is collected, Trócaire will provide notices for data subjects. Processing of personal data will be carried out only as part of Trócaire’s lawful activities, and it will safeguard the rights and freedoms of the data subject. The data subject’s personal data will not be disclosed to a third party other than to a party contracted by Trócaire and operating on its behalf, or where Trócaire is required to do so by law.

Trócaire 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 Trócaire holds their data, and Trócaire will be able to clearly state that purpose or purposes.

Any processing of personal data by Trócaire will be compatible with the purposes for which the data was acquired and Trócaire will take steps to ensure that no personal data will be further processed in a manner that is incompatible with those purposes in line with the principles laid down in Article 5 of the GDPR.

Trócaire will ensure that the data it processes in relation to data subjects is adequate, relevant, and limited to what is necessary in relation to the purposes for which the data is collected, in line with the principles laid down in Article 5 of the GDPR. Data which is not relevant to such processing will not be acquired or maintained, in line with the principle of data minimisation.

4.3. **How we protect your personal data**

4.3.1. *Data Storage*

Personal Data is stored securely in electronic form on our IT systems and /or in hard copy form in our offices. We have invested in both technical and organisational security measures and training of employees to safeguard all personal data.

4.3.2. *Retention Period*

Trócaire has developed a Retention and Destruction of Personal Data Policy and associated schedule to ensure Trócaire fulfils its obligation in regard to retention periods for all categories of personal data processed by the organization.

The length of time we will retain your personal data will depend on the purpose for which we are processing it. The following criteria will be applied:

- We will retain personal data for the minimum period required for the purpose(s) of processing.
- Personal data will be retained for a period of time subject to our Retention and Destruction of Personal Data Policy and/ or legal requirements.
- When personal data is no longer required to be retained, it will be anonymized, to remove all personal identifiable information, or deleted in a secure manner in accordance with our technical and organisational procedures, and in line with our Retention and Destruction of Personal Data Policy.

4.3.3. Security

The security of your personal data is important to us. We restrict access to personal information to Trócaire staff, contractors and processors who have a requirement to process your personal information.

Trócaire will ensure that the personal data it collects will be protected against unauthorised or unlawful processing and against accidental loss, destruction, or damage. To this end, Trócaire will employ high standards of security in order to protect the personal data under its care. Trócaire's Password and Network Access Policy and Data Retention & Destruction of Personal Data Policies guarantee protection against unauthorised access to, or alteration, destruction or disclosure of any personal data held by Trócaire in its capacity as data controller.

In the event of a data breach likely to result in a risk to the rights and freedoms of the data subject or other persons, Trócaire will notify the Irish Data Protection Commissioner without undue delay and, where feasible, within 72 hours after having become aware of the breach, in line with Article 33 of the GDPR.

4.3.4. Third Party Data Processors

In the course of its role as data controller, Trócaire engages third-party service providers, or data processors, to process personal data on its behalf.

In each case, a formal, written contract is in place with the processor, outlining their obligations in relation to personal data, the security measures that they must have in place to protect the data, the specific purpose, or purposes for which they are engaged, and the understanding that they will only process the data,

- as instructed by Trócaire, and
- in compliance with the GDPR,
- EU Electronic Communications Directive.

The agreement will also include reference to the fact that as a data controller, Trócaire is entitled, from time to time, to audit or inspect the data management activities of the data processor, and to ensure that they remain compliant with the relevant legislation, and with the terms of the contract.

Regular audit trail monitoring will be undertaken by the Trócaire DPO to ensure compliance with this Agreement by any third-party entity, which processes personal data on behalf of Trócaire.

In the event of a data security breach affecting the personal data being processed on behalf of Trócaire, the relevant third-party processor will notify Trócaire controller without undue delay.

Failure of a data processor to manage Trócaire's data in a compliant manner will be viewed as a breach of contract, and may result in legal action, where deemed necessary.

4.4. Sharing your information

Trócaire will only use your Personal Data where we have a lawful purpose to do so. We will never sell Personal Data to a third party. We will only pass Personal Data to a third party where there is an explicit business need to do so.

We will not share your information with any third parties unless one of the following conditions applies:

- as required by law, any applicable regulation to protect the rights, property, or safety of ourselves or others.
- when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request.
- You have given your consent to pass your personal data to a third-party who might contact you on Trócaire's behalf with information about services and updates which may be of interest to you.

4.5. Fundraising and Trócaire Public Engagements

Where we have a legitimate interest or where you have consented to fundraising or informational communications from us, we may contact you with information about our fundraising and other relevant activities. All such communications will come from Trócaire or our trusted partners.

You have the right at any time to stop us from contacting you for fundraising or other general communications purposes or giving your information to our third-party partners. You will also be given the opportunity on every email communication that we or our trusted partners send to you, to indicate that you no longer wish to receive our fundraising or informational material.

4.6. International Transfers

As an international charity, and as part of our core activities, it will be necessary for Trócaire to process or transfer personal information to certain countries and territories outside of the European Economic Area. Where we undertake international transfers, you will be contacted before any such transfer takes place with the following information:

- transfer to the third country
- Details regarding the safeguards that are in place to protect your personal information.

4.7. Fairness and Transparency

Trócaire will take appropriate measures to ensure any and all communication with a data subject is conducted in a concise, transparent, intelligible, and easily accessible form, using clear and plain language that is easy for the data subject to understand.

Trócaire will ensure that, at the point of collection, all data subjects will be notified of the following:

- The identity of the data controller (Trócaire)
- The contact details of the DPO (to exercise their rights as a data subject)
- The purpose(s) for which the data is being processed

- The legitimate interests pursued by the controller (if processing is based on Article 6 (1)(f) of the GDPR)
- 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 considered fair and transparent.

Trócaire has put in place processes to ensure the complete and accurate nature of the personal data it collects. However, in the event that a data subject submits a valid request for correction or completion of incorrect or incomplete data, Trócaire will ensure that any such data will be rectified or completed without undue delay, in line with Article 16 of the GDPR, and that the data subject is informed of the correction or completion of data.

Trócaire will ensure that, upon request of the data subject, and where one of the specific grounds listed in Article 17 of the GDPR applies, all personal data related to the data subject in question is erased without undue delay, and that the data subject is informed of the erasure.

4.8. Your Rights as a Data Subject

- Right to access any personal information we hold about you, the purpose for processing your information and any recipient or categories of recipient to whom your information has been disclosed.
- Right to request a copy of any information which we hold about you.
- Right to rectification of personal information that you consider to be inaccurate.
- Right to update personal information that you consider to be incomplete.
- Right to request that we delete personal information we hold about you.
- Right to request us to restrict the processing of your personal information.
- Right to data portability.
- Right to object to the processing of your personal information, subject to certain criteria.
- Right to object to direct marketing.
- Right to have your information transferred where technically feasible.
- Right to withdraw your consent, where processing is based upon consent.
- Right to lodge a complaint with a supervisory authority specifically in the member state where you habitually reside or place of the alleged infringement if you consider we have infringed your data protection rights.

Upon receipt of a valid, formal request by a data subject in relation to personal data held by Trócaire which relates to them, Trócaire will provide the data subject with the relevant information, free of charge, in line with Article 15 of the GDPR. Trócaire will respond within one month of the receipt of any data access request.

If you wish to exercise any of these rights, or if you have any queries about how we use your personal information, please contact us at the details set out below in section 5.

4.9. Review and changes to this Privacy Policy

Following review, we may update our Privacy Statement from time to time, by communicating such changes to you and publishing the updated Privacy Notice on our website. We would encourage you to visit our website regularly to stay informed of the purposes for which we process your information and your rights to control how we process it.

5. Contact Information

If you have any questions or comments about this privacy statement, you can contact Trócaire at the following:

Trócaire DPO:

DPO, Trócaire, Maynooth, Co. Kildare

Phone +353 1 6293333

Email: DPO@trocaire.org

Supervisory Authority:

The Irish Data Protection Commissioners Office:

Portarlinton Office:

Canal House

Station Road

Portarlinton

R32 AP23

Co. Laois

Dublin Office:

21 Fitzwilliam Square

Dublin 2

D02 RD28

Ireland.

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