



POLICY DOCUMENT	
<b>Policy:</b>	Data Protection
<b>Last Review Date:</b>	17 March 2016
<b>Reviewed By:</b>	Committee

The Committee resolves that the following policy shall be binding on the members of the Committee:

(A) Definitions

- a. **Data:** information which -
  - i. is being processed by means of equipment operating automatically in response to instructions given for that purpose; or,
  - ii. is recorded with the intention that it should be processed by means of such equipment; or,
  - iii. is recorded as part of a relevant filing system or with the intention that it should form part of a relevant filing system; or,
  - iv. forms part of an accessible record, as defined in the Data Protection Act 1998.
- b. **Dataset:** a collection of Data
- c. **Processing:** obtaining, recording or holding personal data or carrying out any operation on the data including organisation, adaptation or alteration of that data, retrieval, consultation or use of the data for disclosure by transmission, dissemination or otherwise making the data available, or alignment, combination, blocking, erasure or destruction of the data.
- d. **Relevant Filing System:** any set of information relating to individuals not processed automatically that is structured in such a way that specific information relating to a particular individual is readily accessible.
- e. **Personal Data:** data which relate to a living person who can be identified from those data or from those data together with other information which is in the possession of, or likely to come into the possession of the Data Controller.
- f. **Data Subject:** an individual who is the subject of personal data
- g. **Sensitive Personal Data:** personal data consisting of information, facts, intentions or opinions relating to the racial, or ethnic origin of the Data Subject; their political opinions, religious beliefs, membership of a trade union, physical or mental health, sexual life, commission or alleged commission of any offence.
- h. **Data Controller:** a member of the Committee who, either alone or jointly, determines the purposes for which, and the manner in which, any personal data are, or are to be, processed.
- i. **Data Processor:** an authorised user of Data held by the Association, who originates, stores, edits or publishes material, either manually or electronically, on behalf of the Association, or otherwise processes personal data on behalf of the Association

(B) Data Protection Principles

- a. When processing personal information the following eight principles must be complied with and data must:
  - i. be obtained and processed fairly and lawfully
  - ii. be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose.
  - iii. be adequate, relevant and not excessive for that purpose.
  - iv. be accurate and kept up to date.
  - v. not be kept for longer than is necessary for that purpose.
  - vi. be processed in accordance with the Data Subject's rights.
  - vii. be kept safe from unauthorised access, and accidental loss or destruction.
  - viii. not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data

(C) Responsibility of the Committee

- a. The Committee shall collectively have ultimate responsibility for the Association's adherence to this policy.

(D) Data Controllers

- a. The Committee shall designate one or more Data Controllers, who shall:
  - i. Ensure that members of the Committee, members of the Association, and any authorised third parties comply with the Data Protection Principles, as set in Section B, in respect of personal data under their control;
  - ii. Maintain a register of all datasets and relevant filing systems containing personal information held by the Association, the origin of this information, and the purposes for which it is used;
  - iii. Advise the Data Subjects of Data held in the Association's relevant filing systems on the implementation of this policy
  - iv. Report the register of datasets, and whether the Association has adhered to this policy in the relevant period, to the Annual General Meeting
  - v. Be the focal point for the administration of all Data Subject access requests relating to personal data held by the Association
  - vi. Ensure that the Association maintains any required notifications of its use of personal data with the Data Protection Commissioner.
  - vii. Authorise members of the Association or relevant third parties to act as Data Processors, and to access and/or process Data held by the Association, including the creation of new datasets where required
  - viii. Remove such authorisation where:
    - a. it is no longer required
    - b. it is no longer in the interests of the Association
    - c. the Data Processor has breached any part of this policy
    - d. continuing authorisation would breach any part of this policy
- b. The Committee may remove the designation of Data Controller from any person at any time through a simple majority vote, providing that:
  - i. There remains at least one designated Data Controller, or
  - ii. a new Data Controller is designated immediately after such a vote

#### (E) Data Processors

- a. Data Processors shall:
  - i. Inform the Data Controller when a new dataset is established or if the use or purpose of data stored in a dataset, which has already been registered, has changed
  - ii. Ensure that the data is kept up-to-date and that amendments are made promptly following notification of changes.
  - iii. Ensure that the security measures are appropriate for the types of personal data being processed;
  - iv. Ensure data is processed in line with the Data Protection Principles, as set out in Section B.

#### (F) Responsibilities to Data Subjects

- a. It is the responsibility of all members of the Committee and all Data Processors to ensure that all Data, whether held electronically or manually by the Association, are kept securely and not disclosed unlawfully
- b. Data Processors may assume that consent has been given by the Data Subject for their personal data to be used for the purposes advised at the point of collection of that data
  - i. Where data meets the definition of sensitive personal data, Data Processors must obtain explicit consent from the Data Subject before processing such data
- c. The Association shall allow Data Subjects to access and check the accuracy of any personal data that is being kept about them
- d. Where the Association intends to publish any personal data in a public form, Data Subjects shall have the right to opt their personal data out of such a publication
- e. The Data Controller shall maintain Procedures to allow Data Subjects to access their personal data, request corrections, or opt out of publication of their personal data.
- f. Any Data Subject who considers that the policy has not been followed in respect of personal data about themselves, shall be advised to inform the President.
  - i. The President shall investigate the circumstances and report their findings to the next Committee meeting.

#### (G) Policy Awareness

- a. A copy of this Policy shall be made available, on request, to:
  - i. All new Committee members
  - ii. Newly-designated Data Controllers
  - iii. Newly-authorised Data Processors
  - iv. All others, including Members of the Association, on request.