



# **Co Wicklow Public Participation Network**

## **Data Protection Policy**

1. Responsibility for approval of policy	<i>Secretariat</i>
2. Responsibility for implementation	<i>Resource Worker, Secretariat, Host</i>
3. Responsibility for ensuring review	<i>Secretariat</i>
4. Date of Adoption	<i>December 2020</i>
5. Date for Review	

**Policy Statement**

County Wicklow PPN recognises its responsibilities under the Freedom of Information Act 1997 & 2003 and Data Protection Acts 1988 & 2003 to ensure confidentiality and rights of access to information for all volunteers, representatives, member groups and associate member groups. This includes high standards of written and/or computerised documentation and record keeping pertaining to all records. This policy should be read alongside the organisations communication policy.

Under the provision of the Acts County Wicklow Public Participation Network have appointed a 'Data Controller' to manage the storage of personal reports in its computerised and manual records.

**Purpose**

- This policy ensures that procedures are in place for representatives, volunteers, member, and affiliated member groups to access records about themselves in a way that is open and consistent with legal requirements.
- This policy sets out the required standards for safe and effective record keeping of all County Wicklow PPN records including representatives, volunteers, member, and affiliated member group records.

**Glossary of Terms and Definitions**

- Data means information in a form which can be processed. It includes both automated (computerised) and manual data.
  - Processing means performing any operation or set of operations on data including:
    - Obtaining, recording, or keeping data.
    - Collecting, organising, storing, altering, or adapting data.
    - Retrieving, consulting, or using the data.
    - Disclosing the information or data by transmitting, disseminating, or otherwise making it available.
    - Aligning, combining, blocking, or destroying the data.
  - Data Protection Commissioner: External person responsible for ensuring that people's rights are respected, and that the persons who keep personal information on computer or in manual format meet their responsibilities<sup>1</sup>. The Commissioner has certain powers to ensure organisations operate in accordance with these responsibilities. Such powers include the power to: Investigate any complaints and to request information to further any investigations; enter and examine premises; bring proceedings for an offence under the Act; enforce compliance with the Acts; prohibit overseas transfers of Data; appeals to the court; and preparing and publishing codes of practice.
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## Part 1: Documentation and Record Keeping Policy

### Scope

This policy applies to all representative, volunteer, and member (including affiliated members) group records of CWPPN.

The Wicklow Travellers Group Data Protection Policy applies to all employee and contractor records. CWPPN is hosted by the Wicklow Travellers Group; please refer to Hosting Memorandum signed by CWPPN and WTG.

CWPPN's Database is held on Salesforce. This database product was chosen by the Department of Housing, Planning, Community and Local Government for use by all PPNs. For further information on this please refer to 'Public Participation Networks, A user Guide' March 2017, DHPCLG. Salesforce Data Protection Policy applies to information kept on the database including information on all representatives, volunteers, member, and affiliated member groups.

### Keeping Records

- In relation to the record keeping system itself (electronic and hard copy):
  - Paper filing system should be securely locked.
  - Electronic records are protected with passwords, anti-virus software and firewalls.
  - Only personnel that need to use the data should have open access to it. That will be the Resource and Support Worker and members of the Secretariat.
- To comply with the legal requirements, the following records will be kept:
  - Member and Affiliated Groups.
  - Member organisation details as per the PPN postal and online application forms. See appendix 1

#### Volunteer/Representative

Personal contact details: name, address, contact phone numbers and email address and agreed biopic.

Signed approval of the Volunteer/Representative Charter and details of their role  
Expense claims.

#### General

- Accounting data.
- Accidents, injuries, and incidents.
- Correspondence or records of any grievance procedures undertaken.
  
- Minutes of meetings with groups and representatives.

**Documentation Retention Period**

- The Data Protection Acts require that personal information held by CWPPN should be retained for no longer than is necessary for the purpose for which it was obtained. If the purpose for which the information was obtained has ceased and the personal information is no longer required, the data must be deleted or disposed of in a secure manner.
- An annual update of the CWPPN database is undertaken to ensure records are accurate and current.
- Member affiliated Groups are required to re-register every year to ensure that records are accurate and current.
- The table below outlines CWPPN defined policy on retention periods for all items of personal data.
- These records need to be available for inspection should the occasion arise.

Type of Record	Duration
<b>Deregistered / discontinued group membership details</b>	<b>3 years</b>
Volunteer Application forms and interview notes (for unsuccessful candidates)	<b>1 year</b>
<b>Representative files and records (including personal contact details, expenses claims and reports)</b>	<b>6 years after role ceases</b>
<b>Accounting Records</b>	<b>6 years</b>
<b>Accident books, accident record / reports</b>	<b>3 years after the date of last entry</b>
<b>Grievance Procedures</b>	<b>6 years</b>

- If there is uncertainty on any specific piece of data it is good practice to keep records for six years to cover the time limit for civil legal action.
- Where documents may be relevant to a contractual claim, it is recommended that these be retained for at least the corresponding 6-year limitation period.

### Accessing Personal Information

- Under section 4 of the Data Protection Acts, 1988 and 2003, all volunteers and members have a right to obtain a copy, clearly explained, of any information relating to them kept on computer or in a structured manual filing system, by any person or organisation, regardless of when the data was created. No issues should generally arise in respect of access requests made for most personnel records.
  - To make an access request the data subject must:
    - Apply in writing. (which can include an email)
    - Give any details which might be needed to help you identify him/her and locate all information you may keep about him/her.
- CWPPN recognises its legal obligations to comply with such requests within one month. The following procedures should be followed:
  - Ensure that you give personal information only to the individual concerned (or someone acting on his or her behalf and with their authority). For instance, information is not normally provided by phone.
  - Collate the records, removing all information relating to other people. Care must be taken to ensure the confidentiality of other individuals identified or discussed in such records. If other names are mentioned on the documentation, these should be blacked out by a permanent pen.
  - Present the records to the person concerned and offer to take them through it. When necessary, explain how the different records are used and be prepared to answer any questions.
  - Inform people that they are entitled to receive copies of files, but that all original documentation will remain on their file in a secured location.
- If an individual disagrees with the information that is written about them the following action should be taken.
  - If there is an agreement about changes, information should be corrected.
  - If there is a disagreement about changes then this should be noted on the file. Then the matter referred to the Secretariat for review. If there is no agreement following the Secretariat decision, then the person should be able to use the grievance procedure.
- If CWPPN does not comply with a valid access request, it is open to the person to make a complaint to the Data Protection Commissioner. The Commissioner will investigate the matter and ensure that the persons rights are fully upheld.
- Personal data will not be shared with third parties unless County Wicklow PPN are required to do so by Law.