



GDPR Policy – Liquid Therapy – 21/07/2020

1. Purpose

Liquid Therapy (LT) is committed to protecting and respecting the privacy of staff, volunteers, participants and contractors.

This Data Protection Policy sets out the privacy rights of those LT engage with and sets out how we collect, use, process and disclose personal data relating to their interactions with us.

2. General policy Statement

The General Data Protection Regulation (GDPR) provides six principles that must be followed when processing personal data:

1. Lawfulness, fairness and transparency
2. Purpose limitation
3. Data minimisation
4. Accuracy
5. Storage limitation
6. Integrity and confidentiality

Personal data means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). The LT Board are accountable for any personal data held by LT.

We may collect and process any type of personal data provided to us in the course of interactions. We may gather personal data directly, such as when people visit our website, subscribe to email alerts or complete feedback forms. We may also receive personal data from various third parties and public sources such as Facebook. Categories of such personal data include names, addresses, contact information and other information that is relevant to the provision of our services.

If LT staff, volunteers, participants and/or contractors do not provide us with their personal data we may not be able to provide services, respond to questions, offer roles within LT or enter into contracts.

We will store personal data only for as long as necessary for the purpose(s) for which it was obtained. The criteria used to determine our retention periods include:

- The length of time we have an ongoing relationship and/or provide our services.
- Whether there is a legal requirement to which we are subject.

- Whether the retention is advisable in light of our legal position.

We can continue to use your personal data:

- Where we have your consent to do so.
- For the establishment, exercise or defence of legal claims.
- To protect the rights of another.
- For reasons of important public interest.

We may disclose personal data to third parties:

- Who provide a service to us.
- If we are under a duty to disclose or share your personal data in order to comply with any legal obligation.
- Where necessary for our legitimate business interests to protect the rights, property, or safety of LT for the purposes of fraud protection risk reduction.
- In order to comply with the legal demands of government agencies providing grants.
- Following the dissolution of LT, where data will be provided to a successor, carrying on the duties of LT.

Such disclosure may, as appropriate, include exchanging information with other organisations, companies, auditors, government departments, and public bodies, where any such body provides a service to LT and we are satisfied that it complies with the GDPR requirements.

The personal data will not be provided to organisations outside the EU, where data may not be protected by laws as rigorous as in the EU.

Each year LT will review the data it holds and why. The review will identify the personal data LT holds, why and on what basis LT hold it, how secure it is and who it is shared with. We will ensure that data that is no longer required for its original use is destroyed, and that this policy remains relevant and compliant. The findings of the review will feed into the Corporate Governance Annual Report submitted at the AGM.

LT will maintain a Privacy Notice on the LT website, giving access to the relevant details of this policy and how it applies to our website, to all website users.

3. Obtaining Data

When LT aims to gather data we will be clear on why this data is being gathered and how it will be used and/or shared.

- LT will always obtain permission from the individual to use their data and only use it for the reason specified.
- LT will never 'cold' or 'warm' call people.
- People will only be contacted if they have requested LT do so & where this is the case, LT will keep a record of the request.
- Consent must be freely given, specific, informed and unambiguous.
- Consent must be explicit for sensitive data; and
- LT must be able to demonstrate that consent was given.

4. How We Use Data

There are several ways in which personal data is used by LT. Typically these will include:

- Managing relationships with staff, volunteers, participants, local companies and contractors.
- By asking participants for feedback.
- Consulting with local residents and business.
- Demonstrating the effective usage of grants, where the granting authority requires this and conforms to legal requirements.
- Processing necessary data to support our legitimate interests in managing our business (to keep our records updated and to study how our services are used) provided such interests are not overridden by an individual's interests and rights.
- Meeting legal requirements.
- Processing necessary data to perform a contract or enter a contract with a contractor.

Managing relationships may include:

- Making individuals aware of courses and activities, that individuals have asked to be kept informed about.
- Facilitating the provision of training programs.
- Facilitating the provision of events.
- Sharing information with government departments and semi state agencies for jointly run events.
- Providing information about events hosted or co-sponsored by us that individuals have opted-in to receive.
- Contacting contractors regarding the services provided by them.
- Processing job applications.

5. Security

LT does not have a Data Protection Officer (DPO). All Board members, administration staff and volunteers have a responsibility to ensure data is kept safe and secure, and only used for the reason it was intended for.

We are committed to protecting the security of personal data. We use a variety of IT and physical security measures and procedures to help protect personal data from unauthorised access and use:

- Hard copy data will be stored in a locked cabinet.
- On-line data will be stored on PCs that are password protected.

As effective as modern security practices are, no physical or electronic security system is entirely secure. We cannot guarantee the complete security of our database, nor can we guarantee that information supply will not be intercepted while being transmitted to us over the Internet.

We have implemented strict internal guidelines to ensure that privacy is safeguarded at every level of our organisation. We will continue to revise policies and implement additional security features as new technologies become available.

LT does not use any external data processor.

6. Reporting a Data Breach

Any loss of personal data, to a third, unapproved person/organisation must be reported to the LT Chairperson or Secretary immediately. The loss of personal information must be reported to all individuals affected.

This is an exception to the rule of only contacting individuals for reasons given consent.

In the event of illegal removal of data, this must be reported to the Garda.

A full investigation should be undertaken by LT to identify if any potential improvements to security should be made.

7. Individual's Rights

Individuals have several rights in relation to their personal data under applicable privacy and data protection law, which may be subject to certain limitations and restrictions.

We will respond to any valid requests to exercise these rights within one month, unless it is particularly complicated, in which case we will respond, at the latest, within three months. We will inform the requestor of any such extension within one month of receipt, together with the reasons for the delay.

Individuals will not be charged a fee to exercise any of their rights unless their request is clearly unfounded, repetitive or excessive, in which case we will charge a reasonable fee in the circumstances or refuse to act on the request.

Right to withdraw consent: If we are processing personal data on the legal basis of consent, an individual is entitled to withdraw their consent at any time. However, the withdrawal of their consent will not invalidate any processing we carried out prior to their withdrawal. It may also prevent us from continuing to offer services.

Right of Access: Individuals can request a copy of the personal data we hold about them.

Right to Rectification: Individuals have the right to request that we correct any inaccuracies in the personal data we hold about them and complete any personal data where this is incomplete.

Right to Erasure ('right to be forgotten'): Individuals have the right to request that their personal data be deleted in certain circumstances including:

- a) The personal data is no longer needed for the purpose for which they were collected.
- b) They withdraw their consent (where the processing was based on consent).

- c) They object to the processing and there are no overriding legitimate grounds justifying us processing the data.
- d) The personal data have been unlawfully processed.
- e) To comply with a legal obligation.

However, this right does not apply where, for example, the processing is necessary to comply with a legal obligation or for the establishment, exercise or defence of legal claims.

Right to Restriction of Processing: An Individual can ask that we restrict their personal data (i.e., keep but not use) where:

- The accuracy of the personal data is contested.
- The processing is unlawful, but they do not want it erased.
- We no longer need the personal data, but they require it for the establishment, exercise or defence of legal claims.
- The individual has objected to the processing and verification as to our overriding legitimate grounds is pending.

Right to Data Portability: Where an individual has provided personal data to us, they have a right to receive such personal data back in a structured, commonly-used and machine-readable format, and to have those data transmitted to a third-party data controller without hindrance but in each case only where:

- The processing is carried out by automated means.
- The processing is based on their consent or on the performance of a contract with you.

Right to Object: Individuals have a right to object to the processing of their personal data in those cases where we are processing their personal data in reliance on our legitimate interests, for the performance of a task carried out in the public interest or in the exercise of our official authority.

In such a case we will stop processing their personal data unless we can demonstrate compelling legitimate grounds which override their interests and they have a right to request information on the balancing test we have carried out.

They also have the right to object where we are processing personal data for direct marketing purposes.

Automated Decision-Making: Individuals have a right not to be subjected to decisions based solely on automated processing, including profiling, which produce legal effects concerning them or similarly significantly affects, other than where the decision is:

- Necessary for entering into a contract, or for performing a contract with them.
- Based on their explicit consent – which they may withdraw at any time.
- Is authorized by EU or Member State law.

Right to Complain: Individuals have the right to lodge a complaint with the Data Protection Authority, in particular in the member state of their residence, place of work or

place of an alleged infringement, if they consider that the processing of their personal data infringes the GDPR.

8. Retention of Documents Guidelines

Item	Retention
Personnel Files	6 Years after leaving
Supplier Information	3 Years after last use
Event Records	2 Years
Financial Statements	Permanent
Invoices and Receipts	3 Years
Tender Records	6 Years
Other Finance Records	6 Years
Trainee Records	2 Years - unless they hold any of the following personal details:
*PS Numbers	0 - Dispose after use and no more than 3 months.
*Date of Birth	0 - Dispose after use and no more than 3 months.
*Demographics	0 - Dispose after use and no more than 3 months.