

Data Protection Notice

1 Data Privacy commitment

At EmployAbility Galway, we take your privacy seriously. It is important that you know exactly what we do with personal information that you and others provide to us, why we gather it and what it means to you. This document is being provided to you in line with our obligations under the [General Data Protection Regulation \(GDPR\)](#), which came into force on 25 May 2018. From that date, the GDPR, will amend existing data protection law and place enhanced accountability and transparency obligations on organisations when using your information. The GDPR will also introduce changes which will give you greater control over your personal information, including a right to object to processing of your personal information where that processing is carried out for our business purposes.

Please take time to read this notice carefully. If you have any questions about how we use your information, please contact our Data Coordinator at the details below.

This information explains the most important aspects of how we use your information and what rights you have in relation to your personal information.

2 Who we are

Throughout this document, 'we', 'us', 'our' and 'ours' refer to EmployAbility Galway which is the registered business name of Galway Supported Employment Consortium CLG. We are a non-profit company funded by Department of Employment Affairs and Social Protection to support jobs seekers with disabilities, mental health difficulties and jobs seekers in recovery from illness or injury. We also support employers. Our offices are based at Unit 9A Galway Technology Centre, Mervue Business Park, Galway. We provide support throughout Galway City and County.

3 What is personal data?

When we talk about personal data we are talking about any information that relates to you. Personal data covers items such as your name, address, email address, mobile number, date of birth and Personal Public Service Number ('PPSN').

Personal data includes special categories of data which merit additional protection, such as data revealing your racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade-union membership, and your genetic data, biometric data for the purpose of uniquely identifying you, or data concerning your health or sexual orientation. In addition, personal data includes data relating to criminal convictions and offences.

4 How do we collect your personal data?

We ask you directly for the personal data that we require to deliver our services to you. In addition, we gather your personal data through:

- Our interactions with you, for example via email or postal correspondence and telephone calls,
- Through our website contact forms with your consent
- Your use of our service
- Publicly available sources, such as network organisations, social media
- We receive personal data from third parties such as government agencies, disability and health services, your representatives, and other organisations that may be supporting you. Please note that if you provide us with another person's personal data that may be your client or contact, you need to obtain their agreement to do so and provide them with this data protection notice. We may sometimes process your personal data even if you are not our customer, for example if you have contacted us as a customer

5 How do we use your personal data?

We collect and use (or "process") your personal data for a number of different reasons. Any time we process your personal data, we must have a legal basis to do so. The various ways we process your personal data and the legal bases we rely on are outlined below:

5.1 For the performance of our contract with you

We process your personal data to provide the services that we have agreed with you. This includes processing to:

- Help us understand your requirements
- Identify the support you need from us
- Manage the administration of any employment relationship or working relationship we may develop for you
- To provide you with an excellent level of customer service

In this context, we will collect and use information such as details in relation to your employment status, social welfare status, reasonable accommodations, business and hiring needs whichever apply to your relationship with us

5.2 Where you provide your consent

We may, at times, request your consent to process your personal data for specific reasons, such as:

- Contacting you in relation to a website expression of interest in hiring one of our clients
- Contacting you in relation to a website expression of interest in our service
- Where you have appointed a third party to represent you and contact us on your behalf (for example a disability services professional) and we need to share your personal data with them
- Where we need to process special categories of data (for example, health related data)
- Where you are part of an employment relationship either as employer or employee and you may need our support with the employment relationship
- Where we process your personal data on the basis of your consent, you have the right to withdraw your consent at any time.

5.3 For compliance with our legal obligations

We will use your personal data to the extent necessary to comply with applicable legal and regulatory obligations. We will process your personal data on this basis, including in the circumstances described below:

To fulfil our regulatory reporting obligations, for example:

- verifying your PPSN (or foreign equivalent) to comply with Department of Employment Affairs and Social Protection requirements
- collecting, reviewing and reporting certain information on your progress and status as our customer to our funders the Department of Employment Affairs and Social Protection
- Where we are required to disclose information by or to a court or regulatory authority with appropriate jurisdiction regarding our work
- For compliance with legal responsibilities to other Government bodies and other state agencies
- Financial transparency and compliance and audits
- Department of Employment Affairs and Social Protection audits

5.4 Where necessary, in our legitimate interests

We process your personal data where it is in our legitimate interests as a state funded service with responsibility for providing a value for money service to the public exchequer. When we process your personal data in our own interests, we will seek to maintain a balance between our interests and your rights and freedoms. We will process your personal data on this basis:

- For day to day operational and business purposes to ensure we conduct our business in a responsible and ethical manner to deliver the best quality service with public funds that have been allocated to us
 - management, financial and regulatory reporting
 - internal administration and planning, including statistical analysis and research, strategic planning and audit purposes
 - management of company and compliance affairs
 - management of network and information security including testing our websites and other systems
 - maintenance of business continuity, disaster recovery and back up arrangements
- To help us improve our services and systems, and our customers' experience with us through:
 - analysis of personal data generated from your use of our services
 - analysis of complaints, errors and feedback
- To understand and assess our customers' requirements, and to help us continually develop, improve or identify continuous improvement opportunities for your benefit as a customer we carry out activities such as:
 - Customer surveys and market research at individual, group or industry level
 - analysis of customer demographics such as gender, age and occupation
 - operational analysis, for example in relation to employment sourced, hours in working week, demographics
 - combining your personal data with third party data such as economic or research data
- When we process your personal data in connection with the above activities, we do this using grouped customer information. We do not share information that can identify you as a customer, such as your name, or PPS number. We will however use your personal data when contacting you for customer queries.
 - To send you direct marketing information about EmployAbility Galway services and events we have identified as being of interest to you, including through surveys, competitions, and other promotional activities. You may opt out of direct marketing at any time.
 - To obtain advice from external legal and other advisors

6 Implications of not providing your personal data

Please note that, in some cases, if you do not provide the personal data we need, or help us keep your data up-to-date, we may not be able to continue to provide you with our services

7 Decisions made by automated means

EmployAbility Galway does not make decisions by automated means

8 Who we share your personal data with

When providing our services to you, we may share your information with:

- your authorised representative which may be a family member, or a professional who is providing a specific service to you but only with your permission;
- third parties with whom: (i) we need to share your information to look for employment as you have requested, and (ii) you ask us to share your information with; (iii) who are supporting you with assistive technology, health and wellbeing, training and education providers
- service providers who provide you with support services;
- statutory and regulatory bodies (including central and local government) and law enforcement authorities;
- healthcare professionals and medical consultants;
- As required by law, to statutory, regulatory and enforcement authorities, which includes Irish Government or statutory bodies, such as Revenue and the Central Bank In circumstances where
- Where third parties provide services to us for example;
 - Legal advisors
 - Professional services consulting firms
 - Marketing and market research agencies
 - IT solutions companies

In circumstances where we engage a third party, we require assurances that they have implemented appropriate safeguards and controls in relation to the protection of personal data. In any case where we share your personal data with a third-party data controller or data process the use by that third party of your personal data will be subject to that third party's own data protection policies

9 Transferring your personal data outside of the EEA

Your information may be stored on secure third-party software by IT providers of secure information storage and management systems. They may securely store your personal data outside of the European Economic Area (EEA), but only if they agree to act solely on our instructions and protect your information to the same standard that applies in the EEA.

10 How long we keep your personal data

We will retain your personal data for no longer than is necessary for the purpose for which it was obtained by us or as required or permitted for legal, regulatory, fraud prevention and legitimate business purposes, including, if relevant, to deal with any claim or dispute that might arise in connection with the services you receive from us.

In general, the period for which we retain your personal data will be determined having regard to any contractual obligations imposed on us by our funders the Department of Employment Affairs and Social Protection and/ or by law. For example, we are required under the Consumer Protection Code to retain certain information for 6 years after the end of our relationship with you.

We may, in certain cases, retain your information for longer periods, particularly where required by order of a court, or in the context of an investigation by regulatory or law enforcement agencies. This is to ensure that we will be able to produce records as evidence, if required

11 Keeping your personal data secure

We have implemented technical and organisational security measures to protect your personal data when it is being processed and stored. These include:

- Controlling access to help prevent unauthorised viewing or alteration of your personal data
- Minimising the data sets and/or anonymising data that we use to protect our customers when we process your personal data for the various activities outlined above
- Using encryption mechanisms, where appropriate

12 Your rights in relation to your personal data

Under data protection law, you have a number of rights in relation to your personal data. You have the right to:

- Access: to know if we process your personal data, access your personal data and receive a copy of your personal data that we process in paper or (if you request) electronic form
- Rectification: to have your data rectified where it is shown to be inaccurate or out of date
- Erasure: to have your data erased in certain circumstances (for example if you withdraw your consent to the processing of such data, provided that there is no legal requirement for us to retain it)
- Restriction: to request a restriction on our processing of your personal data, for example, where you believe that:
 - the processing is based on inaccurate data, or
 - we are not processing your personal data in a lawful manner
- Objection: to object to processing activities in our legitimate interests, including the right to object to profiling on this basis (such as the activities described in section 4.4 above) where such activities impact on your rights and freedoms as an individual and we have no compelling interests outweighing your rights and freedoms
- Portability: to receive a copy of your personal data in a portable format in circumstances where you have provided your data on the basis of your consent, or for the provision of our services and which is generated through the use of that service. You can also request that a copy of this data-set is sent to another EmployAbility service provider. Please note however that where you have asked us to send your personal data to a third party, we are not

responsible for their use of your personal data. We would recommend that you read any data protection notice that such third party provides to you

- Withdraw your consent: to withdraw any consent that you have provided for specific processing activities. Please note that if you withdraw your consent to our processing of your personal data for any specific activity, this will not affect the validity of any processing carried out on the basis of your consent prior to such withdrawal

PLEASE NOTE: The above rights are subject to exemptions and may not apply in all circumstances. If you object to, or ask us to restrict, our processing of your personal data, or ask us to delete your data, we may have to suspend the provision of our products and services to you.

13 How to exercise your rights under GDPR

From 25 May 2018, you will have several enhanced rights in relation to how we use your information, including the right, without undue delay, to:

- find out if we use your information, access your information and receive copies of your information;
- have inaccurate/incomplete information corrected and updated;
- object to particular use of your personal data for our legitimate business interests or direct marketing purposes
- in certain circumstances, to have your information deleted or our use of your data restricted;
- exercise the right to data portability (i.e. obtain a transferable copy of your information we hold to transfer to another provider); and
- to withdraw consent at any time where processing is based on consent.

If you wish to exercise any of your data rights, you can contact Pauline O'Dwyer at Email: pauline@employabilitygalway.ie | Telephone: 091 755 235 | Post: EmployAbility Galway, Unit 9A Galway Technology Centre, Mervue Business Park, Galway.

If we are unable to deal with your request fully within a calendar month (due to the complexity or number of requests) we may extend this period by a further two calendar months and shall explain the reason why. If you make your request electronically, we will try to provide you with the relevant information electronically.

You also have the right to complain to the Data Protection Commission or another supervisory authority. You can contact the Office of the Data Protection Commissioner at:

Telephone: +353 (0)761 104 800 or Lo Call Number 1890 252 231

Fax: +353 57 868 4757

E-mail: info@dataprotection.ie

Postal Address: Data Protection Commission, Canal House, Station Road, Portarlington, R32 AP23, Co. Laois.

If you have questions about how we use your information, you can contact Pauline O'Dwyer at

Email: pauline@employabilitygalway.ie | **Telephone:** 091 755 235 | **Post:** EmployAbility Galway, Unit 9A Galway Technology Centre, Mervue Business Park, Galway.

14 Updates

We will update our Data Privacy Notice from time to time. Any updates will be made available on our website and, where appropriate, notified to you by postal or email correspondence.

Audit Control Sheet

Company : Galway Supported Employment Consortium CLG, trading as EmployAbility Galway

File Name : Data Protection Notice

Synopsis : This outlines the Data Protection, policies procedures and practices used at Galway Supported Employment Consortium CLG trading as EmployAbility Galway. to comply with the General Data Protection Regulation (GDPR) for customers. Management will review the document on a periodic basis. A record all changes and/or amendments shall be documented on the audit control sheet.

Current Issue:

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Document Owner : Galway Supported Employment Consortium CLG trading as EmployAbility Galway

Changes History:

Issue No.	Date	Author	Principal Changes
1.0	25 May 2018	Board	Introduction of the new Data Protection Notice under the General Data Protection Regulations
2.0	11 June 2018	Board	Correction of error in section 14 "Updates"

Approved on behalf of Board

Ann Loughney
Chairperson

Date