

Department of Social Protection

Data Protection Policy

1. Purpose and scope

The Department of Social and Family Affairs is committed to protecting the rights and privacy of individuals in accordance with the Data Protection Acts 1988 and 2003. (DP Acts). The Department needs to process (store or use) certain personal data about its staff and customers in order to fulfil its purpose and to meet its legal obligations.

Personal data means data relating to a person who is or can be identified either from the data itself or in conjunction with other information that is in, or is likely to come into, the possession of the Department. It covers any information that relates to an identifiable, living individual. This data can be held on computers or in manual files.

The Department will process such information according to the **Data Protection Principles** that are set out in the DP Acts. It will:-

- ✓ Obtain and process the information fairly;
- ✓ Keep it only for one or more specified and lawful purposes;
- ✓ Process it only in ways compatible with the purposes for which it was given;
- ✓ Keep it safe and secure;
- ✓ Keep it accurate and up-to-date;
- ✓ Ensure that it is adequate, relevant and not excessive;

- ✓ Retain it no longer than is necessary for the specified purpose or purposes;
- ✓ Give a copy of his/her personal data to any individual, on request.

The Acts also provide that a "duty of care" is owed to data subjects, which means that those controlling or processing the data should take care that their activities do not cause damage or distress to the people concerned by, for example, maintaining inaccurate information on our files, or disclosing personal data to someone who is not entitled to this data.

To ensure that all staff and others who process personal data on behalf of the Department are doing so in accordance with these principles at all times, the Department has developed this Data Protection Policy together with detailed guidelines.

2. Role of the DSFA

The Department is the **data controller** under the DP Acts and is ultimately responsible for the implementation of the DP Acts in respect of the data for which it has responsibility.

The Department has appointed a Head of Information Security, who is the Department's primary contact to the Data Protection Commissioner and is responsible for the co-ordination of DP issues across the Department, ensuring the provision of suitable DP advisory, training and awareness services and advising senior management on relevant DP issues.

The Department will annually notify the Data Protection Commissioner that personal data is being processed and list the categories of personal data that are being processed.

3. Governance

This policy has been approved by the Secretary of the Department and is one of several information security policies which support the Department's corporate plan and information strategy. It will be reviewed regularly.

Principal Officers are responsible for ensuring that this policy is implemented in their respective Divisions. Managers at all levels are responsible for ensuring that their staff observe its provisions.

If anyone considers that this policy has not been followed, they should raise the matter through their line management with the Head of Information Security.

4. Rights of data subjects (i.e. customers, staff and third parties) to access to personal data

Data subjects include staff and customers of the Department and any other person about whom the Department processes data.

All data subjects have the right to access the information held about them, ensure that it is correct and fairly held, and to complain to the Data Protection Commissioner if they are dissatisfied.

All requests to access personal data will be handled in accordance with the procedures as detailed in the [Data Protection Policy Guidelines](#).

5. Responsibilities of staff and third parties

5.1 Persons who process personal data on behalf of the Department

Anyone who processes personal data on behalf of the Department has a responsibility to ensure that the **Data Protection Principles** are observed.

Detailed advice on how to achieve this is given in the **Data Protection Policy Guidelines**.

5.1.1 Staff

Staff who, as part of their responsibilities, process personal information about other people, must comply with this policy and the associated Guidelines.

5.1.2 Others working for or on behalf of the Department

Others working for/on behalf of the Department, usually called third parties, who handle personal data in connection with the Department, must operate in accordance with the DP Acts and details of such processing should be the subject of written agreements between the Department and the third party. See the Data Protection Policy Guidelines for further details.

5.2 Persons who provide personal data to the Department

Everyone who provides personal data to the Department is responsible for ensuring adherence to the Data Protection Principles, especially with regard to accuracy and, in the case of third parties providing the personal data of others, the right to disclose this personal data.