

## 1. PURPOSE

Irish Lights is committed to complying with its legal obligations for the processing of all personal data under the Data Protection Acts, 1988 and 2003 and UK Data Protection Act 1998. Irish Lights collects and processes personal data relating to its employees in the course of business in a variety of circumstances e.g. recruitment, training, payment, performance reviews and to protect the legitimate interests of the organisation.

## 2. SCOPE

This policy covers all current and former employees. Processing of data includes collecting, recording, storing, altering, disclosing, destroying and blocking.

## 3. DEFINITIONS

**Personal Data** is any data, which relates to any living individual. **Sensitive information** relates to racial, ethnic origin, mental or physical health, sex life, trade union membership, religious or philosophical beliefs, criminal convictions or proceedings and requires higher levels of protection.

## 4. RESPONSIBILITIES

### 4.1 Irish Lights

Irish Lights will comply with the Data Protection Principles by ensuring that the data is obtained and processed fairly and is accurate and complete and kept up to date. The data will be obtained for one or more specified, explicit and legitimate purpose/purposes and shall not be further processed in a manner incompatible with those purposes. The information will be adequate, relevant and not excessive in relation to the purpose for which they were collected or are further processed. Personal Information shall not be kept for longer than is necessary and appropriate security measures will be taken against unauthorised access to, or alteration, disclosure or destruction of, the data and against their accidental loss or destruction.

### 4.2 Data Protection Officer (DPO)

The Human Resource Manager is the Data Protection Officer (DPO) for Irish Lights with overall responsibility for ensuring compliance with data protection legislation. All employees must co-operate with the DPO when carrying out his duties.

## 5. PROCEDURE

### 5.1 Collection and storage of information

Irish Lights processes certain information relevant to the nature of the employment regarding its employees and where necessary to protect its legitimate interests. Irish Lights will ensure that personal information will be processed in accordance with the principles of data protection, as described in the Data Protection Acts, 1988 and 2003.

Personal information is normally obtained directly from the employee concerned. In certain circumstances, it will however be necessary to obtain information from third parties e.g. references from previous employers.

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Personal information collected by Irish Lights is used for Human Resource Management purposes. Where there is a need to collect information for another purpose, the organisation shall inform employees of this. In cases where it is appropriate to get consent to such processing, the organisation will do so.

Employees are responsible for ensuring that they inform the HR Advisor of any changes in their personal details e.g. change of address, change of next of kin, etc. Irish Lights will endeavour to ensure personal data held by the organisation is up to date and accurate.

Automated Data is data held in electronic form and Manual Data is data information which is held in paper form and is stored in a relevant filing system. Personal information kept by Irish Lights shall normally be stored on the employee's personnel file or corporate electronic database. Highly sensitive information such as medical reports will be stored in a separate file in order to ensure the highest levels of confidentiality. Irish Lights will ensure that only authorised personnel have access to an employee's personal files.

The employee's manager may have access to certain personal information where necessary. Irish Lights has appropriate security measures in place to protect against unauthorised access.

Irish Lights is under legal obligation to keep certain information for a specified period of time. In addition the organisation will need to keep personnel information for a period of time in order to protect its legitimate interests.

## **5.2 Security and Disclosure of Information**

### **5.2.1 Security**

Irish Lights shall take all reasonable steps to ensure that appropriate security measures are in place to protect the confidentiality of both electronic and manual data. Security measures will be reviewed from time to time having regard to the technology available, the cost and the risk of unauthorised access. Employees must implement all Irish Lights security policies and procedures e.g. use of computer passwords, locking filing cabinets, etc. Should any breach of this policy come to the attention of an employee they should contact the DPO immediately.

### **5.2.2 Disclosure**

HR information will only be processed for employment related purposes and in general will not be disclosed to third parties except where required or authorised by law or with the agreement of the employee. HR files are stored in a secure location and employees who have access to these files must ensure that they treat them confidentially at all times. Employees working in the HR Team and in the Corporate Services Department must treat all personal information they receive confidentially and must not disclose it, except as appropriate in the course of their employment.

All employees will have access to a certain amount of personal information relating to colleagues, customers and other third parties. Employees must play their part in ensuring information is treated confidentially.

- They must adhere to the data protection principles and must not disclose such information, except where necessary in the course of their employment, or in accordance with law.
- They must not remove or destroy personal information except for lawful reasons and in accordance with Irish Lights Policy.

If an employee is in any doubt regarding their obligations they should contact the DPO.

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### 5.3 Medical Information

Irish Lights carries out pre-employment medicals as part of the recruitment process. The Occupational Health Physician (OHP) retains this information. From time to time it may be necessary to refer employees to the OHP for a medical opinion and all employees are required to attend in this case. The OHP retains any ensuing medical report. Where the OH provider changes, the medical files will be transferred to the new provider with due regard to their sensitivity and confidentiality. The OHP may forward a 'report' to the HR Manager/HR Advisor. In such circumstances the report will be stored in a secure manner with the utmost regard for the confidentiality of the document. Irish Lights does not retain medical reports on job applicants who do not become employees for longer than necessary.

Employees are entitled to request access to their medical reports. Should an employee wish to do so, they should contact the HR Team who will consult with the OHP and request the information. The final decision lies with the OHP regarding whether the information should be disclosed to you or not. Employees are required to submit sick certificates in accordance with the Sick Leave Policy. HR will store these having the utmost regard for their confidentiality.

### 5.4 Interview Records

HR will retain records of interview notes, application forms etc. for a period of 12 months in order to ensure compliance with the Employment Equality Acts, 1998 to 2015 and with Irish Lights Equal Opportunities Policy.

### 5.5 Email Monitoring

Irish Lights provides email facilities and access to the internet for certain employees. In order to protect against the dangers associated with email and Internet use, screening software is in place to monitor email and web usage. Personal mailboxes are only checked:

- Upon specific authorisation by a manager in cases where the screening software or a complaint indicates that a particular mailbox may contain material which is dangerous or offensive;
- Where there is a legitimate work reason or in the legitimate interest of the organisation.

Please see **Information Security Policy** for further details.

## 6. ACCESS REQUESTS

Employees are entitled to request data held about them on computer or in relevant filing systems. Irish Lights will provide this data within 40 days. There is no charge for requesting this data. An employee should make a request in writing to the DPO, stating the exact data required.

Employees are only entitled to access information about themselves and will not be provided with information relating to other employees or third parties. Information that is classified as the opinion of another person will be provided unless it was given on the understanding that it will be treated confidentially. Employees who express opinions about other employees in the course of their employment should bear in mind that their opinion may be disclosed in an access request.

An employee who is dissatisfied with the outcome of an access request has the option of using the **Grievance Procedure**.

An employee has the right to have incorrect data rectified or removed.

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## 7. RIGHT TO OBJECT

Employees have the right to object to data processing that is causing them distress. Where such objection is justified, the processing of this information will cease unless there is a legitimate requirement that prevents this. Irish Lights will make every effort to alleviate the distress caused to the individual. An objection should be made in writing to the DPO, outlining the information in question and the distress being caused to the employee.

## 8. TRANSMISSION OF DATA OUTSIDE THE STATE

As Irish Lights operates internationally, it may be necessary in the course of business to transfer an employee's personal information to other services or bodies in countries outside the European Economic Area, which do not have comparable data protection laws to Ireland. When this is necessary the organisation will take steps to ensure that the information has the same level of protection as it does inside the State. Irish Lights will only transmit to services or bodies, which agree to guarantee this level of protection. For more information, please contact the DPO.

## 9. BREACH OF POLICY

Any breach of the data protection principles is a serious matter and may lead to disciplinary action up to and including dismissal.

## 10. MONITORING THE POLICY

This policy will be reviewed from time to time to take into account changes in the law and the experience of the policy in practice.

## 11. LEGISLATION

Data Protection Acts, 1988 and 2003 and UK Data Protection Act 1998.

## 12. ADVICE

The Data Protection Officer is available to answer queries or deal with employee's concerns about data protection.

## 13. REFERENCES

- [Information Security Policy](#)
- [Grievance Procedure](#)

## 14. VERSION SUMMARY

REV. NO.	DESCRIPTION OF CHANGE
00	Original Policy – first issue
01	New Layout and Logo 2016

## 15. ACCESS RESTRICTIONS

Accessible to all employees

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## 16. APPROVALS

Document Author:



Human Resources Advisor

Document Owner:



Human Resources Manager

Approved By:



Chief Executive

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