



Church of Ireland

**United Dioceses of  
Cork, Cloyne & Ross**

**The Bishop of Cork, Cloyne and Ross  
and  
The Diocesan Council of Cork, Cloyne and Ross**

**Data Protection Policy  
for  
Employees**

1. INTRODUCTION

The Bishop of Cork, Cloyne and Ross, ("the Bishop") and the Diocesan Council of the United Diocese of Cork, Cloyne and Ross, its officers and employees, (the "**Diocese**") are committed to the proper processing of data in a manner consonant with the Data Protection Acts 1988 and 2003, and the General Data Protection Regulation (the "**GDPR**") (together the "**Legislation**").

Members of the Church of Ireland are mutually bound by consensual contract with each other and to the laws of the Church of Ireland in accordance with the Irish Church Act 1869 (section 20).

2. POLICY

This Data Privacy Policy ("Policy") has been developed to ensure our employees, feel confident about the privacy and security of personal data and to meet our obligations under the Legislation. Under the Legislation, 'personal data' is information that identifies you as an individual or is capable of doing so

The Bishop and the Diocese as a 'data controller', must comply with the data protection principles set down in the Legislation and this Policy applies to all personal data collected, processed and stored by the Bishop or the Diocese in the course of their activities. The purpose of this Policy is to set out the procedures that are to be followed when dealing with personal data and to outline how the Diocese will collect and manage personal information in accordance with all relevant legislation and standards. The procedures set out herein must be followed at all times by the Bishop and the Diocese, its employees, agents, contractors, volunteers, office holders or other parties working on behalf of the Diocese.

This policy extends to all personal data whether stored in electronic or paper format. **The Bishop of Cork, Cloyne and Ross** has responsibility for the implementation of this Policy. The policy on Data Security is set out in paragraph 4 and on Data Retention in paragraph 9.

### 3. WHAT IS DATA PROTECTION

Data Protection is the safeguarding of the privacy rights of individuals in relation to the processing of personal data, in both paper and electronic format. The Legislation sets out strict rules about the way in which personal data and sensitive personal data is collected, accessed, used and disclosed. The Legislation also permits individuals to access their personal data on request, and to have personal data amended if found to be incorrect.

The Legislation establishes seven core principles for compliance which require that the Bishop and the Diocese, as a data controller must:

1. Obtain and process personal data fairly, lawfully and in a transparent manner;
2. Collect the personal data only for one or more specified and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
3. Keep the personal data adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
4. Keep the personal data accurate and up-to-date;
5. Retain the personal data no longer than is necessary for the purpose for which the data is processed;
6. Process the data in a manner that is safe and secure;

The Bishop and the Diocese shall be responsible for and be able to demonstrate compliance with the above principles.

### 4. HOW DO THE BISHOP AND THE DIOCESE PROTECT PERSONAL INFORMATION ABOUT ME?

The Bishop and the Diocese will 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.

All data is kept securely in designated areas of the Diocesan Office, the Bishop's Office or the secure room in the Bishop's Palace to which only authorised personnel have access.

Computers and relevant computer files are password protected. It should be noted that data is also kept on laptop computers which are transported outside the confines of those offices for the purpose of facilitating the work of the Bishop or the Diocese. These are password protected and attended at all times. Only a limited number of authorised personnel have access to this information.

## 5. DOES THE BISHOP OR THE DIOCESE DISCLOSE INFORMATION ABOUT ME TO ANYONE ELSE?

Personal data may be disclosed internally within the Diocese in accordance with the data protection principles and this Policy. Under no circumstances will personal data be passed to any department or any individual within the Diocese that does not reasonably require access to that personal data with respect to the purpose(s) for which it was collected and is being processed. Sensitive and/or restricted employee information must have additional internal access restrictions as appropriate.

No data is disclosed to a third party, other than that required by the central administrative purposes of the Church, or when a reference is required from an officer of the Diocesan Council or from the Bishop arising from an activity of the data subject. All other disclosures will be made only with prior permission, or where there is a legal or statutory obligation to do so.

Whenever we disclose employee information to third parties, we will only disclose that amount of such information necessary to meet the administrative or legal requirement. Third parties that receive employee information from the Bishop or the Diocese must satisfy us as to the measures taken to protect the personal data such parties receive.

Appropriate measures will be taken to ensure that all such disclosures or transfers of employee information to third parties will be completed in a secure manner and pursuant to contractual safeguards.

The Bishop or the Diocese may provide information, when legally required to do so and in response to properly made requests, for the purpose of the prevention and detection of crime, and the apprehension or prosecution of offenders. The Bishop or the Diocese may also provide information for the purpose of safeguarding national security. In the case of any such disclosure, the Diocese will do so only in accordance with the Legislation.

The Bishop or the Diocese may also provide information when required to do so by law, for example under a court order.

The Bishop or the Diocese may also transfer data to legal counsel where same is necessary for the defence of legal claims.

## 6. ACCURACY

Every reasonable effort is made to ensure that data is accurate, complete and up-to-date in accordance with the purpose for which it was collected.

Employees are responsible for ensuring that they inform the Bishop or the Diocese (as appropriate) of any changes in their personal details.

## 7. WHAT PERSONAL DATA DOES THE BISHOP AND THE DIOCESE HOLD?

### *Applicants*

In the case of enquirers about positions within the Diocese the information processed includes that provided by the data subject by curriculum vitae or otherwise, together with any confidential references or reports, and such

correspondence as may take place between the data subject and the Bishop from time to time.

The Bishop or the Diocesan Council do not seek confidential references or reports other than at the time of application for a position within the Diocese, for the purposes of compliance with such Safeguarding policies as are in place, or on an occasion for which prior permission has been sought.

The Bishop's and the Diocese's general retention period for applications and interview notes is 12 months and documents are then securely destroyed. All provisions of this policy will apply to the processing of your application. Your information may be shared with our agents or partners in connection with services that these individuals or entities perform for the Bishop or the Diocese, including recruitment agencies. These agents or partners are restricted from using this data in any way other than to provide specified recruitment related services to the Bishop or the Diocese.

### *Employees*

In the case of data subjects the following data may be processed (but only where relevant in each case). As an employee you will be requested to provide the following information for payroll and your personal file:

- Identification data – Name, address, phone number, date of birth, gender and PPS number
- Emergency contacts
- Dependent data
- Prior work experience and qualifications (CV)
- E mail address/es
- Contract of employment and commencement details
- Interview notes
- Disciplinary issues
- Health and Safety issues
- Health data
- Together with such formal correspondence as may occur with the data subject from time to time

### *Individuals who work with Children or vulnerable adults*

In the case of workers in the Diocese who work with children or vulnerable adults on behalf of the Bishop or the Diocese the following additional information may be kept:

- Information received, including date and serial number of vetting, from the National Vetting Bureau
- Record of having attended child and adult safeguarding training

Data of all employees is kept for the duration of the period of work/period of ministry (beneficed, licensed or permission to officiate) and for no more than two subsequent years. However, data of all whose work (paid or voluntary) brings them into contact with children and young people is kept indefinitely in order to satisfy the requirements of *Safeguarding Trust* (the Church of Ireland Code of Good Practice for Working with Children and Young People).

## 8. PROCESSING PERSONAL DATA

Any and all personal data collected by the Bishop and the Diocese is collected in order to ensure that the Diocese can provide the best possible service to its employees, volunteers, agents and office holders, and can work effectively with its partners and associates, and efficiently manage its employees, contractors, volunteers, agents and office holders. The Diocese uses employee personal data in order to ensure it is able to administer contracts of employment and in its legitimate interests, as well as to fulfil the requirements of the law of the Church of Ireland. The Bishop and the Diocese may also use personal data in meeting certain obligations imposed by law.

Business processes or administration uses for personal data include:

- recruitment;
- background checks;
- changing salary;
- changing working hours;
- terminating an employee;
- process offers of employment;
- systems set up;
- processing payroll;
- processing benefits and expenses;
- organising training programmes; and/or
- other reasons for ordinary personnel administration not listed here.

The Bishop or the Diocese may also use your personal data to:

- carry out research and analysis on you;
- track your performance and keep records of your development for the purposes of annual reviews;
- communicate any changes to the Bishop's or Diocese's policies, procedures or to your contract of employment (including changes to salary);
- contact you or your dependants if there are any health and safety or absence issues (including long term illness and maternity leave);
- calculate any changes in your salary, bonus or commission; and/or
- retain contact information for the purposes of returning Diocese property e.g. security cards, mobile phones, laptops, in connection with your departure from the Diocese.

Data is not collected from third parties, except by way of confidential reference in respect of referees at the time of appointment to diocesan positions or in fulfilment of the *Constitution of the Church of Ireland* or the law generally of the Church of Ireland.

## 9. HOW LONG DOES THE BISHOP OR DIOCESE KEEP PERSONAL INFORMATION?

The time period for which the Bishop or Diocese retains information varies according to the use of that information. In some cases there are legal requirements to keep data for a minimum period of time. Unless specific legal requirements dictate otherwise, the Diocese will retain information no longer than is necessary for the purposes for which the data were collected or for which they are further processed.

The following is a guideline as to how long information of certain types are kept once you are no longer an employee of the Diocese:

- Terms and Conditions of Employment – for duration of employment and 6 years thereafter
- Health and Safety – 10 years
- Leave of Absence – 8 years
- Termination of Employment/Period in Office – 6 years
- Transfer of Undertakings – 1 year
- Payroll/stipend data – 6 years
- Time and Attendance Records – 3 years

The following table applies to employees:

<b>Category of employee Data</b>	<b>Date from which Retention Period Starts</b>	<b>Retention Period</b>	<b>Legislation</b>
Employee's terms and conditions of employment	N/A	The duration of employment	The Terms of Employment (Information) Act, 1994
Payslips showing the employees were paid at least minimum wage	Termination of employment	Three (3) years to show compliance with the Act's provisions	The National Minimum Wage Act, 2000
Records of weekly working hours, the name and address of employee, the employee's PPS numbers and a statement of their duties	Termination of employment	Three (3) years	The Organisation of Working Time Act, 1997 and the Organisation of Working Time (Records) Prescribed Form and Exemptions) Regulations 2001
Employment records relating to persons under 18 years of age	Termination of employment	Three (3) years	The Protection of Young Persons (Employment) Act, 1996
Where an employer has collective redundancies, it must retain the records to show that the provisions of the Act were complied with	Termination of employment	Three (3) years	The Protection of Employment Acts, 1977-2007
Records showing the dates and times an employee availed of parental or force majeure leave	Termination of employment	Eight (8) years	The Parental Leave Acts 1998-2006

Tax records	Termination of employment	Six (6) years	The Companies Acts and Taxes Consolidation Act, 1997
Details of workplace accidents	Termination of employment	Ten (10) years	The Safety, Health and Welfare at Work (General Applications) Regulations 1993
Data relating to an Employee's injury	Date of cause of action	Three (3) years	Personal injuries - Statute of Limitations 1957
Employment contracts when Company believes the records may be required to defend litigation	Termination of employment	Seven (7) years	Breach of Contract - Statute of Limitations 1957
Records relating to a recruitment process	Conclusion of recruitment process	One (1) year	Employment Equality Acts, 1998 to 2015
Child Protection Records		Indefinitely	Safeguarding Trust (policy in accordance with Children Act 2015)

#### 10. HOW CAN I EXERCISE MY RIGHTS IN RESPECT OF PERSONAL INFORMATION THE BISHOP OR DIOCESE HOLDS ABOUT ME?

The Bishop and the Diocese shall vindicate all your rights under the Legislation. These rights are as follows:

- your right to request from the Bishop or the Diocese (as appropriate) access to personal data, and to have any incorrect personal data rectified;
- your right to the restriction of processing concerning you or to object to processing;
- your right to have your personal data transferred to another employer;
- your right to have personal data erased (where appropriate); and
- information on the existence of automated decision-making, if any, as well as meaningful information about the logic involved, its significance and its envisaged consequences.

Vindication of your rights shall not affect any rights which the Bishop or the Diocese may have under the Legislation.

If you want to know what personal information the Bishop or the Diocese holds about you or exercise any of the above rights, you can do so by making your

specific request in writing to the Bishop or the Diocese at the following address:  
**St Nicholas' House, 14 Cove Street, Cork, T12 RP40.**

The Diocese will confirm your request within **21** days of receipt, and process your request within 30 days of receipt, unless there is a significant amount of information at which point we might need to extend the period for a further 2 months. If the information the Bishop or the Diocese holds about you is inaccurate, the Bishop and the Diocese request that you advise us promptly so that it can make the necessary amendments and confirm that these have been made within 30 days of receipt of your request.

#### 11. HOW CAN I MAKE A COMPLAINT TO THE BISHOP OR THE DIOCESE ABOUT THE USE OF MY PERSONAL DATA?

Complaints on the use, retention and disposal of personal data can be submitted in writing to the Bishop or the Diocese (as appropriate) at **St Nicholas' House, 14 Cove Street, Cork, T12 RP40.**

As a data subject you also have the right to lodge a complaint with the Data Protection Commissioner

#### 12. TRANSFERS OF DATA ABROAD

Any electronic personal data transferred to countries or territories outside the EEA will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union.

#### 13. CCTV USAGE (WHERE RELEVANT)

Closed circuit television cameras are used for the security of property and in order to protect against damage or theft. Access to the recorded material will be strictly limited to authorised personnel. The Bishop and the Diocese have a relevant policy in place covering CCTV usage. Closed circuit surveillance is not used to manage performance.

#### 14. REVIEW

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

**The Bishop of Cork, Cloyne and Ross  
and the  
Diocesan Council of Cork, Cloyne and Ross  
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