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# DATA PROTECTION

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COTTAGE AUTISM NETWORK  
CHY18103

## Background

Data protection is essentially all about the protection of the personal data of individuals whether they are customers, employees, donors or clients. In 2007, the requirement for not-for-profit charities to register with the Office of the Data Protection Commissioner ceased as a result of amendments to data protection legislation. The Office of the Data Protection Commissioner has since placed an increased focus on the activities within the sector via the Office's audit and compliance functions in order to assess compliance with the Data Protection Acts.

The Office of the Data Protection Commissioner also considers that the

'Statement of Guiding Principles for Fundraising'<sup>1</sup> as produced by the Irish Charities Tax Research Ltd is an extremely comprehensive set of guidelines, with many references throughout to the importance of respecting the privacy of donors and beneficiaries and highlighting requirements around the security of personal data and the need to respect marketing preferences. The Office of the Data Protection Commissioner endorses this guidance as an aid to ensuring best practice and compliant standards across a range of platforms.

<sup>1</sup><http://www.charitytaxreform.com/files/R2.%20Guiding%20Principles%20of%20Fundraising%20-%20Feb%202008.pdf>

## Key Recommendations

- Information must be fairly collected and all donors must be provided with adequate notice of how their personal data will be processed.
- If a charity has information about people and wishes to use it for a new purpose, the charity is obliged to give an option to individuals to indicate whether or not they wish their information to be used for the new purpose.
- Only the minimum necessary personal data should be sought by charities.
- The retention of PPSNs by charities other than in relation to donations where relief is still owed is a breach of the Data Protection Acts 1988 & 2003.
- Charities should implement a comprehensive retention policy for all records containing the personal data of donors, beneficiaries, registered campaigners etc.
- All marketing preferences should be accurately recorded and respected.
- Every charity should have a security policy and set of procedures which explicitly address the security aspects of any personal data held by the charity or any personal data disclosed to third parties.
- All charities should ensure that donors, clients, service users and employees are clearly informed of their rights under the Data Protection Acts to gain access to a copy of their personal data.
- Every charity should draw up a Data Protection Privacy Policy and a separate Data Protection Statement for its website.

## **Introduction**

At Cottage Autism Network Ltd. privacy and data protection rights are very important to us.

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 Data Protection Acts 1988 and 2003 (the "Data Protection Acts") lay down strict rules about the way in which personal data and sensitive personal data are collected, accessed, used and disclosed. The Data Protection Acts also permit individuals to access their personal data on request, and confer on individuals the right to have their personal data amended if found to be incorrect. This policy applies to both the written word in paper format, electronic format, photographs, video or digital images.

This document outlines Cottage Autism Network Ltd. (CAN)'s policy which helps ensure that we comply with the Data Protection Acts.

Inquiries about this Data Protection Policy should be made to: Cottage Autism Network Ltd. c/o Artramon Farm, Crossabeg, Wexford.

## **Data Protection Policy**

### *Purpose of this policy*

This policy is a statement of Cottage Autism Network Ltd.'s commitment to protect the rights and privacy of individuals in accordance with the Data Protection Acts.

### Collecting information.

We collect and use information to provide the following services:

To undertake advertising and marketing of our events and activities, direct marketing and public relation exercises.

To provide a full range of database management activities, including recording membership, donors, volunteers and data profiling.

To perform accounting and other record-keeping functions.

To provide administration services

Use of name and address data for identity verification.

### Data Protection Principles

We shall perform our responsibilities under the Data Protection Acts in accordance with the following eight Data Protection principles:

#### Obtain and process information fairly

We shall obtain and process personal data fairly and in accordance with statutory and other legal obligations.

#### Keep it only for one or more specified, explicit and lawful purposes

We shall keep personal data for purposes that are specific, lawful and clearly stated. Personal data will only be processed in a manner compatible with these purposes.

We shall use and disclose personal data only in circumstances that are necessary for the purposes for which we collected the data.

#### Keep it safe and secure

We shall take appropriate security measures against unauthorised access to, or alteration, disclosure or destruction of personal data and against its accidental loss or destruction.

#### Keep it accurate, complete and up-to-date

We adopt procedures that ensure high levels of data accuracy, completeness and that data is up-to-date.

#### Ensure it is adequate, relevant and not excessive

We shall only hold personal data to the extent that it is adequate, relevant and not excessive.

#### Retain for no longer than is necessary

We have a retention policy for personal data.

#### Give a copy of his/ her personal data to that individual, on request

We adopt procedures to ensure that data subjects can exercise their rights under the Data Protection legislation to access their data.

### **Responsibility**

Overall responsibility for ensuring compliance with Data Protection Acts rests with Cottage Autism Network Ltd. The Data Protection Co-Ordinator co-ordinates the provision of support, assistance, advice, and training within Cottage Autism Network Ltd. to ensure that the company is in a position to comply with the legislation.

## **Procedures and Guidelines**

Cottage Autism Network Ltd. is firmly committed to ensuring personal privacy and compliance with the Data Protection Acts, including the provision of best practice guidelines and procedures in relation to all aspects of Data Protection.

Access Requests Policy & Procedure can be located on our website.

Access Request Policy

Access Request Form

## **Review**

This Data Protection Policy will be reviewed regularly in light of any legislative or other relevant developments.

**Access Request Form:** Request for a copy of Personal Data  
Data Protection Act 1988 and Data Protection (Amendment) Act 2003

**Section A - please complete this section**

**Full Name**.....

**Postal address**

.....  
.....  
.....  
.....

**Telephone/e-mail\***

.....(include area code)

\* we may need to contact you to discuss your Access Request

**Section B - please complete this section**

I, .....[insert name] wish to have access to data that I believe  
CAN retains on me as outlined below (please include the name of service(s) and any account /  
reference number relevant to your access request)

.....  
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.....  
.....  
.....  
.....  
.....

Signed.....Date.....

<b>Checklist: Have you:</b>	<b>Yes</b>	<b>No</b>
completed the Access Request Form in full?	<input type="checkbox"/>	<input type="checkbox"/>
1) attached a photocopy of proof of your identity and address?	<input type="checkbox"/>	<input type="checkbox"/>
2) signed and dated the Access Request Form?	<input type="checkbox"/>	<input type="checkbox"/>

If you have ticked **No** to any question above we regret we cannot process your request.

Please return this form to: **Data Protection Co-Ordinator, Cottage Autism Network, c/o Artramon Farm, Crossabeg, Co. WExford**

Note: we require proof of the applicant's identity and address to ensure that the person making this access request is acting legitimately

**Office Use only:**

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