

## Growing Up in Ireland Mailing List Privacy Statement

This Data Protection Statement is effective as and from 25 May 2018

### Purpose

Under Data Protection legislation, individuals have a number of rights in relation to the personal data an organisation holds about them. The purpose of this notice is to inform you of the personal data processed in order to keep you informed of **Growing Up in Ireland** publications and events, how these data are handled and what your rights are.

Please note that we have a separate Privacy Statement which deals with the processing of data in relation to survey participants.

### Who we are and how to contact us?

The ESRI is a research institute that undertakes economic and social research to advance evidence-informed policymaking in these areas. It is a company limited by guarantee and is registered as a charity. Its sources of income are multi-annual programmes of research funded by a number of government departments and agencies, commissioned research projects, competitive research grants and a government grant-in-aid. We are the data controller responsible for your personal data.

We have appointed a Data Protection Officer (DPO) who is responsible for overseeing questions in relation to this data protection statement and our approach to privacy. If you have any questions about this data protection statement, including any request to exercise your legal rights, please contact the DPO using the details set out below:

Ms Rachel Joyce

Economic & Social Research Institute,  
Whitaker Square,  
Sir John Rogerson's Quay,  
Dublin 2

Tel: 01 863 2000

Email: [DataProtection@esri.ie](mailto:DataProtection@esri.ie)

### What personal data do we process in order to keep you informed about **Growing Up in Ireland**?

**Event and Publication Notifications:** Individuals may sign-up to receive notifications on our publications and events via email. Subscribers are asked to submit their email address and if they wish they can also submit their name. We process these data on the basis of consent and you may withdraw your consent at any time.

**Event Registration:** Individuals may register to attend **Growing Up in Ireland** conferences, events, and seminars at the ESRI or elsewhere via a third party site (such as Microsoft Forms). They are asked to provide details such as name, email address and organisation. They submit these details on the basis of consent and can choose whether or not their details can be retained for the purposes of similar communications on future **Growing Up in Ireland** events.

The ESRI issues direct invitations to events to specific policy, research, academic and other stakeholders via email. Contacts may opt out of receiving direct **Growing Up in Ireland** email invitations by replying to the email invitation or contacting the ESRI directly at [growingup@esri.ie](mailto:growingup@esri.ie).

**Requests to Receive ESRI (including **Growing Up in Ireland**) Media Releases:** The ESRI maintains a database of media contacts in order to disseminate media releases on ESRI news, publications and events. This information is processed on the basis of legitimate interest. Contact information held in this media database is sourced from individual requests to be added to the database, and from publicly available information. Members of the media who no longer wish to receive ESRI media releases may email [press@esri.ie](mailto:press@esri.ie) and request to be removed from the media database, or may click unsubscribe on any media release email communication. Members of the media who wish to request to be added to the ESRI media database may email [press@esri.ie](mailto:press@esri.ie), providing contact details and the name of the media organisation for which they work.

## Do we share personal data with any third parties?

The ESRI and *Growing Up in Ireland* do not disclose your personal data to any third parties.

We use third party cloud software to host and manage event registration. The Institute ensures that specific data protection guarantees have been provided by service providers that process personal data on our behalf, including where data are hosted and security credentials. The privacy notices of the current providers are available here:

Event Registration via Microsoft Forms: <https://www.microsoft.com/en-us/trustcenter/default.aspx>

## What is the legal basis for processing the data?

Under Data Protection legislation an organisation may rely on one or more 'lawful bases' to process personal data. Lawful basis may include consent, contractual obligations, legal obligations, vital interests, to fulfil a public task, legitimate business interests, or statistical or research purposes.

The legal bases for which we process each category of personal data for mailing lists are as follows:

Event and Publication Notifications	Consent via subscription
Direct Event Invitations	Legitimate Interest
Event Registration	Consent via online registration

Consent means that an individual has given us clear, explicit consent to process their personal data for a specific purpose. Consent may be withdrawn at any time.

Legitimate interest means we have a legitimate business interest. When we process your Personal Data based on our legitimate interests, we make sure to consider and balance any potential impact on you and your data protection rights. We will not use your Personal Data for activities where privacy impact may override legitimate business interests (unless we have your consent or are otherwise required or permitted by law).

## How long will the data be stored for?

For data processed on a consent basis, it is retained as long as the individual wishes us to retain it for. Consent may be withdrawn at any time. For data processed on a legitimate interest basis, it will be retained for as long as there is a purpose associated with the legitimate interest. An individual may object to their data being processed on this basis. For data processed on the basis of a legal obligation, it will be retained in accordance with the requirements of the associated statute or regulation.

## What rights do you as the data subject have?

Data protection legislation confers the following rights on individuals, which rights are in some circumstances limited by data protection legislation:

### i. The right to be informed

An individual has a right to know whether an organisation processes personal information relating to them and certain additional information in relation to the processing, such as its purposes, the categories of data, the recipients of the data, and the existence of additional rights such as the rights to erasure and objection (where applicable).

### ii. The right of access

Individuals have the right to access their personal data, be aware of and verify the lawful basis on which it is processed.

### iii. The right to rectification

Individuals have a right to have inaccurate personal data rectified, or completed if it is incomplete.

#### **iv. The right to erasure**

Individuals have a right to have their personal data erased in certain circumstances. This right applies where personal data is processed on the basis of consent or when the personal data is no longer necessary for the purpose for which they were originally collected or processed; it doesn't apply where personal data is being processed or retained in order for the organisation to comply with a legal obligation.

#### **v. The right to restrict processing**

Individuals have the right to request the restriction or suppression of the processing of their personal data in certain circumstances. When processing is restricted, an organisation may store the personal data, but not use it. This right applies where

- an individual contests the accuracy of their personal data and this is being verified
- the data has been unlawfully processed (i.e. in breach of the lawfulness basis on which it is processed) and the individual opposes erasure and requests restriction instead
- an organisation no longer needs the personal data but the individual needs it to be kept in order to establish, exercise or defend a legal claim
- the individual has objected to the processing of their data where it is being processed on the basis of public interest task or legitimate interests and the organisation is considering whether their legitimate grounds override those of the individual.

#### **vi. The right to data portability**

This right allows individuals to obtain and reuse their personal data for their own purposes across different services. It allows them to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without affecting its usability. This right only applies where the lawful basis for processing this information is consent or for the performance of a contract, and the processing is being carried out by automated means.

#### **vii. The right to object to processing of personal data**

Individuals have the right to object to certain types of processing of their personal data where this processing is carried out in connection with tasks in the public interest, or under official authority, or in the legitimate interests of others.

Individuals have a stronger right to object to processing of their personal data where the processing relates to direct marketing. Where a data controller is using individuals' personal data for the purpose of marketing something directly to them, or profiling them for direct marketing purposes, they can object at any time, and the data controller must stop processing as soon as they receive the objection.

Individuals may also object to processing of their personal data for research purposes, unless the processing is necessary for the performance of a task carried out in the public interest.

#### **viii. Rights in relation to automated decision making and profiling**

Automated decision making and profiling is defined as:

- automated individual decision-making (making a decision solely by automated means without any human involvement); and
- profiling (automated processing of personal data to evaluate certain things about an individual). Profiling can be part of an automated decision-making process.

Data held for the purpose of keeping individuals informed about ***Growing Up in Ireland*** is not subject to automated decision making and profiling.

#### **How can I submit a Subject Access Request?**

Subject Access Requests can be submitted to the Institute's Data Protection Officer, Ms Rachel Joyce, whose contact details are set out above.

### **How will the information be provided?**

Where the data subject makes the request by electronic form, where possible, the information must be provided by electronic means, unless otherwise requested by the data subject. When requested by the data subject, the information may be provided orally, provided that identity is verified.

### **What are the timeframes for dealing with personal data access requests?**

- Within 1 month of receipt of the request
- The 1-month period may be extended by a 2 further months, where necessary, taking into account the complexity and number of requests, where necessary. In this case, we will inform you of any extension within 1 month of receipt of the request and the reasons for the delay. If we do not take action on foot of your request, we will inform you without delay and, at the latest, within 1 month of receipt of your request, of:
  - The reasons for not taking action
  - The possibility of lodging a complaint with a supervisory authority and seeking a judicial remedy.

### **What are the charges?**

Requests are dealt with free of charge.

However, where requests from a data subject are considered 'manifestly unfounded or excessive' (for example where an individual continues to make unnecessary repeat requests or the problems associated with identifying one individual from a collection of data are too great) the data controller may:

1. Charge a reasonable fee, taking into account the administrative costs of providing the information/ taking the action requested; or
2. Refuse to act on your request.

### **Right to lodge a complaint to the Supervisory Authority**

Under data protection legislation an individual has a right to lodge a complaint with the Data Protection Commission if they consider that processing of their personal data is contrary to data protection law.

The contact details of the Commission are

info@dataprotection.ie

or

The Data Protection Commissioner, Canal House, Station Road, Portarlington, Co. Laois

The Data Protection Commissioner also operates a helpdesk function, which is contactable at 0761 104 800 or LoCall 1890 252231

## **ESRI Subject Access Request Procedures**

### **Making and submitting a Subject Access Request**

If you wish to make a Subject Access Request, please do so in writing to the Data Protection Officer.

In order to facilitate processing of your request and timely retrieval of your personal data, we ask that individuals provide the following details (although you are not obliged to do so):

- Name of Requester
- Details of the personal data that you are requesting e.g., email address, name, address, telephone number
- Data Subject Right you wish to exercise (where applicable) e.g., right to rectification, erasure
- Any other relevant information
- The form you wish data to be provided to you

**Identification**

In order to ensure that personal data is not disclosed to the wrong person, proof of identity will be required with your data access request.

If a request is being made on your behalf by a third party such as a solicitor, authority and verification will be sought.

For further information on data protection see <http://gdprandyou.ie/>.