



IRISH THEATRE INSTITUTE

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Data Protection and Privacy Policy

The purpose of this document is to provide a concise policy statement regarding the Data Protection obligations of Irish Theatre Institute. This includes obligations in dealing with Personal Data, in order to ensure that the organisation complies with the requirements of the relevant Irish legislation, namely the Irish Data Protection Act (1988), and the Irish Data Protection (Amendment) Act (2003).

Irish Theatre Institute must comply with the Data Protection principles set out in the relevant legislation. This policy applies to all Personal Data collected, processed and stored by Irish Theatre Institute in relation to its staff, service providers and clients in the course of its activities. Irish Theatre Institute makes no distinction between the rights of Data Subjects who are employees, and those who are not. All are treated equally under this policy.

The policy covers both Personal and Sensitive¹ Personal Data held in relation to data subjects by Irish Theatre Institute. The policy applies equally to Personal Data held in manual and automated form. All Personal and Sensitive Personal Data will be treated with equal care by Irish Theatre Institute. Both categories will be equally referred to as Personal Data in this policy, unless specifically stated otherwise. It explains how we may collect information through interactions with the organisation, whether internal or external, and how we use that information.

Irish Theatre Institute respects your right to privacy. Irish Theatre Institute's policy is to respect and protect the privacy of all Data Subjects and will never intentionally disclose individually identifiable information about its Data Subjects to any third party without first informing the Data Subject and receiving that Data Subject's permission.

In the course of its daily organisational activities, ITI acquires, processes and stores personal data in relation to:

- Employees of Irish Theatre Institute
- Clients/Customers of Irish Theatre Institute
- Third party service providers engaged by Irish Theatre Institute

¹ Sensitive personal data is defined in the Data Protection Acts as any personal data as to -

(a) the racial or ethnic origin, the political opinions or the religious or philosophical beliefs of the data subject; (b) whether the data subject is a member of a trade union; (c) the physical or mental health or condition or sexual life of the data subject; (d) the commission or alleged commission of any offence by the data subject, or (e) any proceedings for an offence committed or alleged to have been committed by the data subject, the disposal of such proceedings or the sentence of any court in such proceedings.

(Ref: <https://www.dataprotection.ie/docs/General/1237.htm#3>)



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- Third party individuals and organisations interacting with, working with or associated with Irish Theatre Institute (e.g. website visitors, stakeholders, funding organisations)

In accordance with the Irish Data Protection legislation, this data must be acquired and managed fairly. Not all staff members will be expected to be experts in Data Protection legislation. However, Irish Theatre Institute is committed to ensuring that its staff have sufficient awareness of the legislation in order to be able to anticipate and identify a Data Protection issue, should one arise. In such circumstances, staff must ensure that the General Manager is informed, in order that appropriate corrective action is taken. This policy provides the guidelines for exchange(s) of information, as well as the procedure to follow in the event that an ITI staff member is unsure whether such data can be disclosed.

In general terms, the staff member should consult with the General Manager to seek clarification.

ITI collects information in a number of ways:

- **Personal Data**

Due to the nature of the services provided by ITI there is regular and active exchange of Personal Data between ITI and its Data Subjects. Personal Data will only be used for the purposes for which it has been provided. When an action has been concluded, data will be retained by ITI for a period of time after which time it will be deleted. See ITI's Data Retention and Destruction Policy for details.

In order to contact ITI via the online "Contact Us" portal, make a purchase, access ITI User Services and to participate in workshops, training and networking events Data Subjects must complete an online/offline registration form. The information provided at registration allows ITI to fully process the request and assists in directing the data subject to the appropriate service or team member.

The information supplied by the Data Subject in their name, postal address, email address, organisation, localisation, images, reason for purchase and a record of the order is stored in an electronic database. ITI may use this information to assess the use of services, generate statistics and as a means to develop future services. Personal information will not be used for any purpose beyond those associated with processing the request.

In addition, ITI exchanges Personal Data with Data Processors on the Data Subjects' behalf. This is consistent with ITI's obligations under the terms of its contract with its Data Processors. Credit/debit card details provided will only be used for the purpose of handling an individual registration or purchase. ITI's shopping cart/registration facility is provided by Pay and Shop Limited trading as Realex Payments. Occasionally ITI processes payments in person using a password protected online Realex terminal. For in person transactions Personal Data including credit card details and names are processed immediately and not stored. No credit card details are stored on ITI's websites or by Irish Theatre Institute.



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Irish Theatre Institute's **Databases and Archiving**

Irish Theatre Institute operates and manages databases including *PLAYOGRAPHYIreland*, *Playography na Gaeilge*, *IRISHTHEATRE.ie*, *Stage & Screen Design Ireland*. The Personal Data information supplied by the Data Subject is stored in an online database. ITI uses this information to create an archive/database, generate statistics towards publications, to advocate for and promote the sector and as a means to develop future services.

- **Statistical and Analytical Data**

ITI respects the rights of its users and visitors to our websites² and does not, as a general rule, collect personal information about visitors to the websites. However any personal information volunteered to ITI through the use of web registration forms or email will be treated with confidentiality and security.

ITI's server is hosted on a secure site provided by Blacknight. Visitors to ITI's websites should be aware that each time they visit a website there are two general levels of information about their visit that can be retained. The first level comprises statistical and other analytical information collected on an aggregate and non-individual specific basis of all browsers who visit the site, and the second is information that is personal or particular to a specific visitor who knowingly chooses to provide that information.

For general browsing on ITI websites, online newsletters and interaction with social media channels no personal information is submitted, although certain statistical information is available to ITI via our internet service provider and analytics software. This information may include: the logical address of the server you are using; the top level domain name from which you access the internet; the type of browser you are using; the date and time you access our site and your visit journey; your location based on your IP address; demographic statistics via search engines. This statistical and analytical information and data can be collected through the standard operation of our internet servers and logs as well as "cookies". Typically, cookies involve the assigning of a unique number to the visitor. Visitors should be aware that Irish Theatre Institute is unable to control the use of cookies or the resulting information by other third parties such as advertisers or parties hosting data for Irish Theatre Institute. One simple way to prevent the use of cookies is to activate the facility that is available in most web browsers that enables the user to deny or accept cookies. However, visitors should realise that certain cookies may be necessary in order to provide the visitor with features such as the customised delivery of information.

Some of the collected information is used by ITI to create statistics which allow us to assess and report on the number of visitors to our sites, identify the frequency of visits to the pages, and generally help us to make our sites more user friendly and improve our methods of online communication.

² www.irishtheatreinstitute.ie | www.irishtheatre.ie | www.irishplayography.com | gaeilge.irishplayography.com
www.stageandscreendesignireland.com



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Disclosure

We do not pass on your personal information to any third parties except in accordance with the GDPR.

Right of rectification or erasure

You are entitled to have Personal Data corrected if inaccurate, or in certain cases erased. If you wish to apply to correct or delete data please write to info@irishtheatreinstitute.ie setting out the reasons for your request. This will be addressed within 40 calendar days of the receipt of your request.

Third party Data Processors and Referrals

In the course of its role as Data Controller, ITI engages Data Processors to process Personal Data on its behalf. In each case, a formal, written contract is in place with the Processor, outlining their obligations in relation to the Personal Data, the specific purpose or purposes for which they are engaged, and the understanding that they will process the data in compliance with the Irish Data Protection legislation.

ITI works with a third party to process online transactions. In the case of online registration and purchases ITI works with Pay and Shop Limited trading as Realex Payments for the processing of online payments. Read the Pay and Shop Limited, trading as Realex Payments Privacy Statement [here](#). Please note that any information that you provide through use of this functionality is governed by the applicable third party's privacy policy, and not by this Privacy Policy and we do not accept any responsibility or liability of these policies. Please check these policies before you submit any personal data to these websites.

This Privacy Policy does not address, and we are not responsible for, the privacy, information or other practices of any third parties, including any third party operating any website to which ITI's websites containing a link. The inclusion of a link on a website does not imply endorsement of the linked website by us.

Data Subject Access Requests

As part of the day-to-day operation of the organisation, ITI's staff engage in active and regular exchanges of information with Data Subjects. Where a formal request is submitted by a Data Subject in relation to the data held by ITI, such a request gives rise to access rights in favour of the Data Subject.

There are specific time-lines within which ITI must respond to the Data Subject, depending on the nature and extent of the request. These are outlined in the Subject Access Request Procedure. ITI's staff will ensure that, where necessary, such requests are forwarded to the appropriate person in a timely manner, and they are processed as quickly and efficiently as possible, but within not more than 40 days from receipt of the request.

Any formal, written request by a Data Subject for a copy of their Personal Data (a Subject Access Request) will be referred, as soon as possible, to the General Manager and will be processed as soon



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as possible. It is intended that by complying with these guidelines, ITI will adhere to best practice regarding the applicable Data Protection legislation.

Subject Access Request Procedure

Under the Data Protection Acts, you may receive a copy of your personal data held by ITI on request, subject to payment of a fee of €6.35. In order to respond to you we require you to:

- Complete, sign and date the Data Subject Access Request Form and be specific as possible about the information you wish to access.
- Attach a photocopy of your proof of identity and address to the Access Request Form.
- Enclose a cheque or postal money order payable to Irish Theatre Institute in the amount of €6.35 and:
- Post the Access Request Form to: Irish Theatre Institute, 17 Eustace Street, Temple Bar, D02 F293 / +353 (0)1 6704906.

Use of the Access Request Form is not mandatory. Completing the Access Request Form should enable ITI to process the request more efficiently.

Irish Theatre Institute reserves the right not to process and release data requested where requests have not complied with the requirements as laid out above or if the request is not made in writing.

Irish Theatre Institute does not accept access requests via telephone, email or text message.

Once the Data Subject Access Request Form is received, it will be addressed within 40 calendar days of the receipt of your request.

If you are not satisfied with the outcome of your access request you are entitled to make a complaint to the Data Protection Commissioner who may investigate the matter for you.

Responsibility

Overall responsibility for ensuring compliance with the access request provisions of the Data Protection Acts rests with ITI. However our responsibility varies depending upon whether we are acting as either a Data Controller or a Data Processor.

Implementation

As a Data Controller, ITI ensures that any entity which processes Personal Data on its behalf (a Data Processor) does so in a manner compliant with the Data Protection legislation.

Failure of a Data Processor to manage ITI's data in a compliant manner will be viewed as a breach of contract, and will be pursued through the courts. Failure of ITI's staff to process Personal Data in compliance with this policy may result in disciplinary proceedings.



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The 8 Data Protection Principles

The following key principles are enshrined in the Irish legislation and are fundamental to ITI's Data Protection policy.

In its capacity as Data Controller, ITI ensures that all data shall be:

1. Obtained and processed fairly.
2. Kept only for one or more specified, explicit and lawful purposes.
3. Used and disclosed only in ways compatible with these purposes.
4. Kept safe and secure.
5. Kept accurate, complete and up-to-date.
6. Adequate, relevant and not excessive.
7. Retained for no longer than is necessary for the purpose or purposes.
8. ITI will give a copy of his/her personal data to an individual, on request.

More information on each of these principles can be found at www.dataprotection.ie

Review

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



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Data Retention and Destruction Policy

As a company, we are required to retain certain records, usually for a specific amount of time. The accidental or intentional destruction of these records during their specified retention periods could result in fines and penalties for the company.

We must retain certain records because they contain information that:

- Serves as Irish Theatre Institute's corporate memory.
- Have enduring business value (for example, they provide a record of a business transaction, evidence ITI's rights or obligations, protect our legal interests or ensure operational continuity).
- Must be kept in order to satisfy legal, accounting or other regulatory requirements.

We must balance these requirements with our statutory obligation to only keep records for the period required and to comply with data minimisation principles. The retention schedule below sets out the relevant periods for the retention of Irish Theatre Institute's documents.

As data storage increases in size and decreases in cost, companies often err on the side of storing data in several places on the network. A common example of this is where a single file may be stored on a local user's machine, on a central file server, and again on a backup system. When identifying and classifying the company's data, it is important to also understand where that data may be stored, particularly for duplicate copies, so that this Policy may be applied to all duplicates of the information.

Data Retention Periods

This section sets guidelines for retaining the different types of company data.

- **Personal Data:** Personal Data will be held for as long as the individual is a customer/client of ITI plus 6 years. General employee data will be held for the duration of employment and then for 6 years after the last day of contractual employment. Employee contracts will be held for 6 years after last day of contractual employment. Records of leave will be held for three years.
- **Recruitment details:** Interview notes of unsuccessful applicants will be held for 1 year after interview.
- **Health and Safety:** Data will be held for 7 years for records of major accidents and dangerous occurrences.
- **Operational data:** A significant proportion of ITI's data will fall within this category. Operational data will be retained for 6 years.
- **Critical data including Tax and VAT** will be retained for 6 years.
- **Confidential/Sensitive data:** Confidential data will be retained for 6 years.



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Data destruction

When the retention timeframe expires, ITI must actively destroy the data covered by this Policy. If an employee feels that certain data should not be destroyed, he/she/they should identify the data to ITI's General Manager so that an exception to the policy can be considered.

ITI specifically directs employees not to destroy data in violation of this Policy. Destroying data that an employee may feel is harmful to themselves is forbidden, or destroying data in an attempt to cover up a violation of law or company policy.

Disposal of equipment

It is the responsibility of the Data Controller to ensure that all data previously stored on the devices has been removed prior to disposal. In disposing of any equipment ITI will work with qualified personnel to ensure that all data has been effectively removed.

Data Loss / Breach Notification Policy

A Personal Data breach occurs when the data is accessed, disclosed, altered, lost or destroyed in contravention of an organisation's obligation to keep personal data in its possession safe and secure.

Sometimes a breach of information/data security may occur because information/data is accidentally/unintentionally disclosed to unauthorised persons or, lost, or stolen as result of a targeted attack or theft. Details of the breach should be reported to ITI's General Manager immediately and recorded accurately, including the date and time the breach occurred, the date and time it was detected, who/what reported the breach, description of the breach, details of any IT systems involved, corroborating material such as error messages etc.

Data Protection Commissioner

E: breaches@dataprotection.ie

T: 1890 252231 / +353 (0)57 8684800