



Data Protection Policy

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1. About Mental Health Reform

Mental Health Reform (MHR) is the national coalition on mental health in Ireland. MHR's membership represents a broad range of interests, including housing, disability, children's rights, human rights and ethnic minorities. MHR provides a unified voice to drive progressive reform of mental health services and supports in Ireland.

The Board of Directors are responsible for approving this policy and ensuring that it is adhered to.

2. Data protection

Data Protection is the means by which the privacy rights of individuals are safeguarded in relation to the processing of their personal data.

The Data Protection Acts 1988 and 2003 give rights to individuals as well as placing responsibilities on those persons processing personal data.

3. The General Data Protection Regulations (GDPR)

The GDPR is in force as of the 25th May 2018, replacing the existing data protection framework under the EU Data Protection Directive. The GDPR relies on seven principles, which will regulate the processing of personal data. These principles are:

1. Lawfulness, fairness and transparency
2. Purpose limitation
3. Data minimisation
4. Accuracy
5. Storage limitation
6. Integrity and confidentiality (security)
7. Accountability

Information on the GDPR is available from the website of the Data Protection Commissioner www.dataprotection.ie

4. Terms used in this policy

Personal data is information relating to an identified or identifiable natural person ('data subject'). It is a broad term and includes a wide range of information. It includes online identifiers such as IP addresses and cookie identifiers.

Special categories of personal data means information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Data processing is a very broad concept and includes almost anything you can do with personal data, including collection, storage, use, disclosure and destruction.

Data retention refers to the length of time for which personal data will be kept and the reasons why the information is being retained. In determining appropriate retention periods, regard must be had for any statutory obligations imposed on a data controller.

Data controller is the legal person who, alone or jointly with others, determines the purpose and means of the processing of personal data. In other words, 'what personal data will be processed for and 'how' it will be done.

For the purpose of the Data Protection Acts 1988 and 2003 (as amended) and the GDPR, the data controller is Mental Health Reform.

Data processor means the legal person such as an individual or a company who processes personal data on behalf of MHR. For example, the payroll provider used by MHR and data cloud providers MHR uses (eg. Salesforce, Mailchimp)

5. Policy statement

Mental Health Reform will process any personal information provided to it by individuals, whether it be provided through our website, in person, by any form, correspondence, telephone, email or by any other means, or otherwise held by MHR in relation to data subjects in the manner set out in this policy.

6. How people provide MHR with personal information

People may provide MHR with information by:

- Contacting MHR by letter, telephone, e-mail or in person;
- Subscribing to the MHR newsletter or Ezine (electronic magazine);
- Registering for a MHR event;
- Applying for membership of MHR;
- Donating to MHR;
- Applying to work with MHR as an employee or volunteer.
- Visiting the MHR website.¹

Mental Health Reform will only ever ask data subjects to disclose only the information necessary for the purpose of their interaction

¹ This type of data may include traffic data, location data, weblogs and other communication data that may identify personal information (e.g. cookies) and non-personal information (e.g. information of an anonymised or technical nature). See our cookie policy for more information.

7. Why MHR processes personal data

We collect information in order to function effectively as an organisation; to communicate with our membership; to campaign, fundraise, improve its website; recruit staff and volunteers; host events and undertake research or other related activities.

8. How MHR uses the data it processes

MHR will use the data to:

- process enquiries;
- liaise with individuals about MHR projects and activities;
- comply with obligations arising from contracts;
- register people for MHR events;
- provide people with news about MHR;
- process a membership enquiry, application or payment;
- set up, operate and manage a fundraising event or initiative;
- comply with its legal duties and responsibilities;
- provide security to, and ensuring the health and safety of, employees, volunteers and visitors to company premises;
- administer and improve the MHR website and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes.

9. Disclosure of personal information

As a data controller, Mental Health Reform engages the services of a number of data processors to process personal data on its behalf. In each case, a written agreement is in place with the data 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 data protection legislation.

- Enclude;
- MailChimp;
- Salesforce;
- Stripe;
- Eventbrite;
- Survey Monkey;

- Carmichael Centre for Voluntary Groups (payroll)

10. Retaining personal data

The time periods for which we retain personal data depends on the type of information and the purposes for which we use it. MHR will keep your data for no longer than is required or permitted. MHR does not transfer data outside of the EU.

11. The rights of the data subject

Data subjects have the following rights:

- The right to access the information MHR holds about them;
- The right to require MHR to rectify any inaccurate information about them without undue delay;
- The right to have MHR erase any information we hold about them in circumstances such as where it is no longer necessary for us to hold the information for or if data subject's withdraw consent to the processing;
- The right to object to MHR processing information about them;
- The right to ask MHR to provide their personal data in a portable format or, where technically feasible, for MHR to port that information to another provider provided it does not result in a disclosure of information relating to other people; and
- The right to request a restriction of the processing of information.

12. Security of Personal Data

MHR takes all reasonable steps to secure personal data from unauthorised access, use or disclosure.

13. Data Retention Policy and Schedule

MHR is committed to complying with its data protection obligations with regard to the retention of personal data.

The Data Protection Acts 1988 and 2003 (as amended) and the General Data Protection Regulation (GDPR) impose obligations on MHR, as a Data Controller, to process personal data in a fair manner which notifies data subjects of the purposes of data processing and to retain the data for no longer than is necessary to achieve those purposes.

Data subjects have a right to be informed about how their personal data is processed. The GDPR sets out the information that MHR should supply to individuals and when individuals should be informed of this information. MHR is

obliged to provide data subjects with information on retention periods and criteria used to determine the retention periods.

14. Grounds for processing personal data

MHR is required to provide data subjects with the legal grounds or lawful basis that they are relying on for processing personal data.

The legal grounds for processing personal data are as follows:

- Consent;
- Performance of a contract;
- Legal obligation;
- Vital interest;
- Public interest.

Explicit consent or an alternative limited lawful basis is required where sensitive personal data are being processed.

If there is no justification for retaining personal information, then that information should be routinely deleted. Information should never be kept "just in case" a use can be found for it in the future.

15. Document Retention Procedure

MHR is 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 the following consequences:

- Fines and penalties;
- Loss of rights;
- Obstruction of justice charges;
- Contempt of court charges;
- Serious disadvantages in litigation;
- Disadvantage to the owner of the data

MHR must retain certain records because they contain information that:

- Serves as MHR's organisational memory;
- Have enduring business value (for example, they provide a record of a business transaction, evidence MHR'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.

16. Records

A record is any type of information created, received or transmitted in the transaction of MHR's business, regardless of physical format. Examples of where the various types of information are located are:

- Appointment books and calendars;
- Audio and video recordings;
- Computer programs;
- Contracts;
- Electronic files;
- E-mails;
- Handwritten notes;
- Invoices;
- Letters and other correspondence;
- Memory in mobile phones and portable devices;
- Online postings, such as on Facebook, Twitter, other sites;
- Membership applications;
- Performance reviews;
- Photographs;
- Voicemails.

Therefore, any paper records and electronic files, that are part of any of the categories listed in the Retention Schedule contained in this policy, must be retained for the amount of time indicated in the Retention Schedule.

17. Disposable Information

Disposable information consists of data that may be discarded or deleted at the discretion of the user once it has served its temporary useful purpose and/or data that may be safely destroyed because it is not a record as defined by this policy. Examples may include:

- Duplicates of originals that have not been annotated;
- Preliminary drafts of letters, memoranda, reports, worksheets and informal notes that do not represent significant steps or decisions in the preparation of an official record;
- Books, periodicals, manuals, training binders and other printed materials obtained from sources outside of MHR and retained primarily for reference purposes; and
- Spam and junk mail.

18. Confidential Information

Any confidential information that MHR may have obtained from a source outside of MHR, such as a previous employer, must not, so long as such information remains confidential, be disclosed to, or used by, MHR. Unsolicited confidential information submitted to MHR should be refused, returned to the sender where possible and deleted, if received via the internet.

19. Role of Governance and Operations Manager

The Governance and Operations Manager, in conjunction with the Executive Director, is responsible for identifying the documents that MHR must or should retain.

The responsibilities of the Governance and Operations Manager include:

- Arranging for the proper storage and retrieval of records, coordinating with outside vendors where appropriate;
- Handling the destruction of records whose retention period has expired without further notice that the records are being destroyed;
- Planning, developing and prescribing document disposal policies, systems, standards and procedures;
- Monitoring compliance so that employees know how to follow the document management procedures;
- Developing and implementing measures to ensure that the Executive Director knows what information MHR has and where it is stored, that only authorised users have access to the information, and that MHR keeps only the information it needs, thereby efficiently using space;
- Establishing standards for filing and storage equipment and recordkeeping supplies;
- Identifying essential records and establishing a disaster plan for each office and department to ensure maximum availability of MHR's records in order to re-establish operations quickly and with minimal interruption and expense;
- Determining the practicability of and, if appropriate, establishing a uniform filing system and a forms design and control system;
- Periodically reviewing the records retention schedules and legislation to determine if MHR's document management program and its Records Retention Schedule is in compliance with legislation;
- Explaining to employees their duties relating to the document management program;

- Ensuring that the maintenance, preservation, microfilming, computer disk storage, destruction or other disposition of MHR'S records is carried out in accordance with this policy, the procedures of the document management program and our legal requirements;
- Planning the timetable for an annual records destruction exercise and records audit;
- Evaluating the overall effectiveness of the document management program.

20. Storage and destruction of records

Data records will be stored in a safe and secure manner. The Governance and Operations Manager is responsible for the continuing process of identifying the records that have met their required retention period and supervising their destruction.

The destruction of personal data, confidential, financial and personnel-related paper records will be conducted by confidential shredding.

21. Questions about this policy

Any questions about this policy should be referred to the Governance and Operations Manager who is in charge of administering and updating this policy.

22. Changes to this policy

Any changes to this Data Protection Policy and Data Retention Schedule will be approved by the Board of Directors and published on the website of Mental Health Reform.

23. Record Retention Schedule

Personnel Records

Record	Retention Period	Justification	Legal basis
Benefits descriptions per employee	Permanent	for pension calculation and record keeping	Employment law
Employee applications and resumes	6 years or where successful, for the duration of the employment plus 7 years from the date of termination of employment	Statute of Limitations	Legal obligation
Employee benefit plans	6 years from when the record was required to be disclosed save pension detail requirements	Benefit of the employee	Performance of a contract
Employee offer letters (and other documentation regarding hiring, promotion, demotion, transfer, termination or selection for training)	6 years from date of making record or action involved, whichever is later, or 1 year from date of involuntary termination	Benefit of the employee	Performance of a contract
Records relating to background checks on employees	6 years from when the background check is conducted		TBC

Employment contracts; employment and termination agreements	7 years from the date of expiry of the contract or agreement	Benefit of the employee	
Employee records with information on pay rate or weekly compensation	3 years	Benefit of the employee	
Tax forms	6 years after date of hire	Revenue obligation	
Injury and Illness Incident Reports and related Annual Summaries; Logs of work-related injuries and illnesses	6 years following the end of the calendar year that these records cover	Statute of Limitations	
Supplemental record for each occupational injury or illness; Log and Summary of Occupational Injuries and Illnesses	6 years following the year to which they relate	Statute of Limitations	
Job descriptions, performance goals and reviews; garnishment records	For the duration of the employment plus 7 years from the date of termination of employment	Benefit of employee	
Employee tax records	6 years from the date tax is due or paid	Revenue obligations	
Medical exams required by law	Duration of employment + 30 years	Benefit of employee	

Personnel or employment records	6 years from the date the record was made	Benefit of employee	
Pension plan and retirement records	Permanent	Benefit of employee	
Pre-employment tests and test results	2 years from date of termination	Benefit of employee	
Salary schedules; ranges for each job description	2 years	Benefit of employee	
Time reports	Termination + 3 years	Benefit of employee	
Training agreements, summaries of applicants' qualifications, job criteria, interview records	Duration of training + 4 years	Benefit of employee	

Payroll Records

Record	Retention Period	Justification	Legal basis
Payroll registers (gross and net)	3 years from the last date of entry	Benefit of employee	
Time cards; piece work tickets; wage rate tables; pay rates; work and time schedules; earnings records; records of additions to or	7 years	Benefit of employee	

deductions from wages; records on which wage computations are based			
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Prospective employees/volunteers

Record	Retention Period	Justification	Legal basis
Curriculum vitae and cover letters	12 months	For future employment opportunities	
Interview notes	12 months	For future employment opportunities	

Tax Records

Record	Retention Period	Justification	Legal basis
All tax records	7 years	Revenue	Legal requirement

Accounting and Finance

Record	Retention Period	Justification	Legal basis for processing
Accounts Payable, Receivables ledgers and schedules	7 years	Revenue Requirements	
Annual audit reports and financial statements	Permanent	Revenue Requirements	
Annual plans and budgets	2 years	Revenue Requirements	
Bank statements, cancelled checks, deposit slips	7 years	Revenue Requirements	
Business expense records	7 years	Revenue Requirements	
Cash receipts	2 years	Revenue Requirements	
Details of cheques	7 years	Revenue Requirements	
Electronic fund transfer documents	7 years	Revenue Requirements	
Employee expense reports	7 years	Revenue Requirements	
General ledgers	Permanent	Revenue Requirements	
Journal entries	7 years	Revenue Requirements	

Invoices	7 years	Revenue Requirements	
Petty cash vouchers	3 years	Revenue Requirements	

Legal and Insurance Records

Record	Retention Period	Justification	Legal basis
Appraisals	6 years from termination		
Insurance claims/ applications	Permanent		
Insurance disbursements and denials	Permanent		
Insurance contracts and policies (Director and Officers, General Liability, Property, Workers' Compensation)			
Leases	6 years after expiration		
Real estate documents (including loan and mortgage contract, deeds)	Permanent		

Warranties	Duration of warranty + 7 years		
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24. Website Privacy Policy

About Mental Health Reform

Mental Health Reform is the national coalition of organisations campaigning to transform mental health and well-being supports in Ireland. Formed in 2006, MHR is a coalition of 65 member organisations representing a range of interests.

This Privacy Policy provides information about the ways in which Mental Health Reform (MHR) process the personal information provided to us.

This policy describes the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. Please read the following carefully to understand our practices regarding your personal data and how we will treat it.

Terms used in this policy

Data protection is the means by which the privacy rights of individuals are safeguarded in relation to the processing of their personal data. The Data Protection Acts 1988 and 2003 confer rights on individuals as well as placing responsibilities on those persons processing personal data.

Personal data is information relating to an identified or identifiable natural person ('data subject'). It is a broad term and includes a wide range of information. It includes online identifiers such as IP addresses and cookie identifiers.

Special categories of personal data means information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Data processing is a very broad concept and includes almost anything you can do with personal data, including collection, storage, use, disclosure and destruction.

Data retention is the length of time for which personal data will be kept and the reasons why the information is being retained. In determining appropriate retention periods, regard must be had for any statutory obligations imposed on a data controller.

Data controller is the legal person who, alone or jointly with others, determines the purpose and means of the processing of personal data. In other words, 'what personal data will be processed for and 'how' it will be done. For the purpose of the Data Protection Acts 1988 and 2003 (as amended) (the 'DPA') and from 25 May 2018, the General Data Protection Regulation (the 'GDPR'), the data controller is Mental Health Reform.

Data processor means the legal person such as an individual or a company who processes personal data on behalf of MHR. For example, the payroll provider used by us and data cloud providers we use (eg. Salesforce, Mailchimp).

MHR will process any personal information provided to it by individuals, whether it be provided through our website, in person, by any form, correspondence, telephone, email or by any other means, or otherwise held by us in relation to you in the manner set out in this policy.

By submitting your information to us and or by using the MHR website you confirm your consent to the use of your personal information as set out by this Privacy Policy.

If you do not agree with the terms of this Privacy Policy, please do not use the website or provide us with any personal information.

You may provide MHR with information by:

- Corresponding with us by letter, telephone, e-mail or in person;
- Subscribing to the MHR newsletter or Ezine (electronic magazine);
- Registering for a MHR event;
- Applying for membership of MHR;
- Donating to MHR;
- Applying to work with MHR as an employee or volunteer.
- Visiting our website. This information may include traffic data, location data, weblogs and other communication data in accordance with our **Cookie Policy** that may identify personal information (e.g. cookies) and non-personal information (e.g. information of an anonymised or technical nature).

We ask you to disclose only as much information as is necessary for the purpose of your interaction with us or when submitting a question/suggestion/comment in relation to our website or our services.

Why we collect this information

We collect the information in order to function effectively as an organisation; to communicate with our membership; to campaign and fundraise, to improve our website; to recruit staff and volunteers; to host events and to undertake research.

How we will use this information

We will use this information to:

- process any enquiry from you;
- to liaise with you about projects that we are undertaking with you;
- to comply with obligations arising from a contract entered into between you and us;
- to register you for an MHR event;
- to provide you with news about Mental Health Reform's work;

- process a membership application from you;
- set up, operate and manage any marketing and or fundraising services subject to your explicit consent;
- comply with our legal duties and responsibilities;
- provide security to, and ensuring the health and safety of, employees, volunteers and visitors to company premises;
- administer and improve our website and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes;
- as part of our efforts to keep our website safe and secure; and
- to make suggestions and recommendations to you and other users of our website about services that may interest you or them.

The legal bases for the processing of your data are:

- That you have provided consent for the processing for one or more specific purposes; or
- The processing is necessary for the performance of a contract which you have entered into with MHR or to take steps at your request prior to entering into a contract; or
- The processing is necessary to comply with a legal obligation to which we are subject.

MHR does not engage in any automated decision making processes nor do we use any personal data as a basis for any such automated decisions.

Disclosure of your information

We may also share your information with selected third parties including, business partners, suppliers and sub-contractors for the performance of any contract we enter into with them or you and to assist us in fulfilling our functions such as:

- Cloud Service Providers;
- CRM providers;
- Archive/shredding companies;
- Email and ICT service providers.

How long we retain your information

The time periods for which we retain your information depends on the type of information and the purposes for which we use it. We will keep your information for no longer than is required or permitted. For further information, please see MHR ***Data Retention Policy***.

MHR does not transfer your data outside of the EU.

Your rights with respect to your personal information

You have the following rights:

- The right to access the information we hold about you;
- The right to require us to rectify any inaccurate information about you without undue delay;
- The right to have us erase any information we hold about you in circumstances such as where it is no longer necessary for us to hold the information for your use of our services or if you have withdrawn your consent to the processing;
- The right to object to us processing information about you such as processing for profiling or direct marketing;
- The right to ask us to provide your information to you in a portable format or, where technically feasible, for us to port that information to another provider provided it does not result in a disclosure of information relating to other people; and
- The right to request a restriction of the processing of your information.

When our processing of your information is based on your consent to that processing, you have the right to withdraw that consent at any time but any processing that we have carried out before you withdrew your consent remains lawful.

You may exercise any of the above rights by writing to:

The Governance and Operations Manager,

Mental Health Reform

Coleraine House

Coleraine Street

Dublin 7

Email: info@mentalhealthreform.ie

Security of your Personal Information

MHR takes all reasonable steps to secure your personal information from unauthorized access, use or disclosure and secures the personally identifiable information you provide on computer servers in a controlled, secure environment, protected from unauthorized access, use or disclosure. When personal information (such as a credit card number) is transmitted to other websites, it is protected through the use of encryption, such as the Secure Socket Layer (SSL) protocol.

Changes to this Privacy Policy

Any changes to this Privacy Policy will be posted on www.mentalhealthreform.ie and will be effective when posted. Please review this notice each time you use our website or our services.

This policy was last updated on 08 June 2018.

How you contact us

Mental Health Reform
Coleraine House
Coleraine Street
Dublin 7

Tel: 01 8749468

Email info@mentalhealthreform.ie