Data Protection Policy

Introduction

Operation Smile Ireland is committed to protecting the rights and privacy of individuals in accordance with the General Data Protection Regulation (the GDPR) and the Data Protection Act 1988 – 2018 (the DPA). The DPA compliments the GDPR and deals extensively with how the GDPR is enforced in Ireland. Throughout this statement 'Data Protection Laws' should be taken as referring to the GDPR, the DPA and any amending legislation. Data Protection Laws give rights to individuals about the privacy of their personal data. Data Protection Laws also place responsibilities on those persons holding and processing such data. Operation Smile Ireland collects, stores and processes certain personal data in order to carry out its functions. Personal data means any information relating to an identified or identifiable living individual.

Any or all of Operation Smile Ireland Communications cover a wide range of operations performed on/with personal data, including by manual or automated means. It includes:

- the collection; on your agreement, by way of contact, donation or subscription.
- Recording; on your agreement, by way of contact, donation or subscription.
- Organisation; as required by law for Operation Smile Ireland only.
- Structuring; as required, in issuing confirmation of donation or subscription.
- Storage; for the term specified by way of donation, or subscription – 5 years following the cessation of donation or subscription.
- adaptation or alteration; as required by you when updating your contact details.
- Retrieval; as required, in issuing communication from us to you.
- Consultation; as required, in issuing updates from us to you.
- Use; as required, in safe storage, for use by our Charity only.
- disclosure by transmission; as required, in transmitting correspondence to you.
- sharing or otherwise making available in-house; as required, by Internal requirements.
- alignment or combination; as required, when issuing newsletter/comms to you.
- restriction, and as required; as instructed by you by way of donation/subscription.
- erasure or destruction of personal data; As required, as instructed by you.

This Data Protection Statement provides information about the ways in which the Operation Smile Ireland collects, stores and uses personal data relating to individuals.

Data Protection Legislation

The GDPR came into force on 25 May 2018 and significantly changed data protection law in Europe, strengthening the rights of individuals and increasing the obligations on organisations. The GDPR is designed to give individuals more control over their personal data.

The key principles relating to the processing of personal data under the GDPR are:

- lawfulness,

- Fairness;
- Transparency;
- Limiting what it can be used for;
- Limiting what can be collected and used;
- Accuracy;
- Storage limitation;
- Integrity and confidentiality; and
- Accountability (Article 5 of the GDPR).

Although the GDPR is directly applicable as a law in all Member States, it allows for certain issues to be given further effect in national law. In Ireland, the national law, which amongst other things, gives further effect to the GDPR, is the Data Protection Act 2018 ('the 2018 Act').

All data received by clients will be treated with the strictest confidence. Safeguarding the privacy of our client's information is to be of paramount importance.

Staff, Management and Trustees of Operation Smile Ireland will accept receipt of data pertinent to our Events, Fundraising, Donation Forms, or Subscriptions. If other data is received which contains personal identifying information, the data will be immediately destroyed. The client is to be informed that the information was destroyed and requested to send information with non-identifying information only.

The only exception to the above is when a client has prearranged with Operation Smile Ireland to securely send a file with identifying information for special purposes that are needed to ensure the accurate processing of the requested information. In that instance the information is to be viewed by the data analyst only. It will also be the responsibility of Operation Smile to receive written instruction on what to do with that data after the data collation has been completed. In all cases, sensitive data is to be securely stored and kept confidential.

Data that has been received will be stored securely on our internal information systems and protected with appropriate security and handled with confidentiality. It is not to be shared in any way with anyone except with the written permission of the client.

Except where the client has otherwise instructed in writing, the data will be retained securely for a period of five years so that Operation Smile has the ability to make revisions to the data based on the original data sent. Should the client instruct in writing that the original data be destroyed after being collated, then it is our responsibility to do so at the earliest possible moment. It is also our responsibility to inform the client, at the time of their request, that any further revisions, review or other changes requested will not be possible and that should they need to resend the original file for any requested changes it will be treated as new data and charges will apply as if a new client has been setup. A new Donation Form/Subscription form will be required for any such request.

At no time should any member of Operation Smile agree to view, share, aggregate or in any way use a client's data for any purpose other than the one for which it was originally

intended. The only employee who should ever have access to a client's data is the analyst who will be using the data to create the report. It is the responsibility of that analyst to keep all data confidential and safeguard its integrity and security.

We hereby agree that the terms indicated above will be adhered to by our team at Operation Smile Ireland, by way of GDPR requirements, and only changeable at future dates upon advice by law under Data Protection Legislation.