

Data Privacy Notice

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Owner	The Heritage Council
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1. Introduction

The Heritage Council will, through its actions and policies, demonstrate that it cares for the personal data of people it interacts transparently, accountably, securely and in their interest in the first instance, and in the public interest thereafter, and that it will manage and monitor on an on-going basis its responsibilities as a 'data controller' in relation to the GDPR.

The Heritage Council undertakes to process all personal data with care for its ownership and integrity, and in accordance with the principles of GDPR. It will ensure that appropriate security measures are in place to protect confidentiality and will review these from time to time with due regard to the technology available, the cost and the risk of unauthorised access.

The Heritage Council is based at Áras na hOidhreachta, Church Lane, Kilkenny. Our Data Protection Officer can be contacted by email at dpo@heritagecouncil.ie

2. Data Privacy Notice

This document outlines the approach of the Heritage Council to Data Privacy to fulfil our obligations under the General Data Protection Regulation 2018 and the Data Protection Acts 1998-2018.

The Heritage Council collects personal data to facilitate the provision of programmes and projects, the payment of grants and for other administration activities in accordance with our remit under the Heritage Act 1995. We process personal data from third parties whom we have a contract with such as public bodies, community groups, voluntary organisations, NGOs, etc. as part of our work in supporting the heritage sector. This information is only retained for as long as is necessary to facilitate processing. For details of our data retention schedule, please refer to our Data Protection Policy. We process personal data of staff in fulfilling our statutory obligations as an employer.

We may also collect names, telephone numbers and email addresses for one off events which are hosted by the Heritage Council, such as National Heritage Week events and Culture Night events. This information is only retained for the duration of the event.

Our websites, www.heritagecouncil.ie; www.heritageweek.ie; www.heritageinschools.ie; www.iwtn.ie and www.heritagemaps.ie collect cookies to facilitate functionality of the websites and to improve your experience of using those websites.

The Heritage Council is subject to the Freedom of Information Act 2014 and may disclose information where required to do so in accordance with the legislation.

No information provided will be divulged to any third party unless we receive your prior consent and/or we are compelled to do so by law.

We will only use data provided by you for the purpose for which it was collected.

This notice is intended for:

- (a) All users of the websites of the Heritage Council including www.heritagecouncil.ie; www.heritageweek.ie; www.heritageinschools.ie; www.iwtn.ie; www.heritagemaps.ie
- (b) Heritage Council employees, council members, contractors
- (c) Members of the Heritage Council pension schemes
- (d) Business suppliers
- (e) Individuals who collaborate with the programmes of the Heritage Council
- (f) Grant recipients

3. What data do we collect?

For the purpose of fulfilling the Heritage Council's functions, we collect the following personal data:

- (a) Names, addresses, contact details, bank account details for the purpose of administering our grants schemes
- (b) CCTV images for the security and safety of our staff and visitors.
- (c) CVs, names, addresses, contact details, employment history for the purpose of recruitment.
- (d) Names, addresses, contact details, PPSN, marital status, medical certificates, revenue information for the purpose of employment
- (e) Cookies for the purposes of using our websites
- (f) Contact details for the purpose of answering queries from the public or for facilitating attendance at events.
- (g) Names, roll numbers, email addresses of schools participating in the Heritage in Schools programme
- (h) Names, contact details, bank and tax details for contractors for the purpose of payment
- (i) Images, both historical and new.

4. How do we collect your data?

Personal data is provided by data subjects. Data subjects may withdraw their consent at any time, however, doing so may mean that we are unable to fulfil a contractual obligation with you.

5. Purpose for processing

For the purpose of fulfilling the Heritage Council's functions, we perform the following processing activities:

- (a) Processing grant scheme applications

The Heritage Council processes personal data through our online grant scheme system in order to provide the grantee with funding. The lawful basis for processing this data is consent and performance of a contract.

Automated decision-making is part of the grant application process¹. Applicants are required to answer a number of yes/no eligibility questions before they can apply for a grant. If the applicant does not respond to the questions to indicate their eligibility, they cannot proceed to the next step of the application. Applicants can contact a member of the Grants Team if they believe that they are eligible to apply for the scheme.

(b) Interact with the general public

From time to time the members of the public contact the Heritage Council for advice, to request a copy of a publication or to enquire about the work of the Heritage Council. In doing so, they provide us with contact details. The lawful basis for processing this data is consent. Members of the public interact with us through email, written letter, telephone and social media. The Heritage Council IT Policy outlines the standards of security surrounding data received via electronic means and mobile devices.

(c) Process CCTV footage

CCTV is in operation at our headquarters in Áras na hOidhreachta for the purposes of security and safety of our staff and visitors. Lawful basis for processing is to protect the vital interests of the data subject or another lawful person.

(d) Process recruitment applications

We process personal information provided to us from prospective candidates during recruitment campaigns. This personal data is processed in necessity for the compliance with the legal obligations of the data controller. The lawful basis for processing is consent.

(e) Perform a contract

When paying suppliers, grant recipients and contractors we will process personal data. This is done in accordance with performing a contract to which the data subject is party.

(f) Provide information through our websites

The Heritage Council processes personal data such as strictly necessary cookies for any user of our websites, www.heritagecouncil.ie; www.heritageweek.ie; www.heritageinschools.ie; www.iwtn.ie; www.heritagemaps.ie

Cookie policies, which form part of our Data Protection Policy, can be found here:

¹ Automated decision making is a decision-making process which does not use any human involvement.

<https://www.heritagecouncil.ie/site-info/cookie-privacy>

<https://www.heritageweek.ie/site-info/cookie-privacy-policy>

<https://www.heritageinschools.ie/about/cookie-privacy-policy>

<https://irishwalledtownsnetwork.ie/cookie-policy-eu/>

<https://heritagemaps.ie/cookie-notice.html>

The lawful basis for processing is consent.

(g) Comply with legal requirements

As a public body, the Heritage Council is required to cooperate with internal and external audits. As part of this process, we may need to share personal information such as the information contained on invoices or recruitment data. The lawful basis for processing is compliance with a legal obligation.

(h) Organise events

From time to time the Heritage Council will organise events which are open to the public to attend. These may include Heritage Week training and awards events and public events at our offices in Kilkenny. Personal data may be collected in order to communicate with those interested in attending our events. The lawful basis for processing is consent.

(i) Perform our obligations as employers

As employers, the Heritage Council is obliged to process certain personal data of employees. This includes name, home address, marital status, date of birth, medical certificates, timesheets, annual leave, and other leave applications as required under employment law. The lawful basis for processing is compliance with a legal obligation.

(j) Process images

The Heritage Council takes photographs of members of the public at events organised by the Heritage Council and by arranged photoshoots for publicity purposes. These images are shared with a graphic designer for the purpose of designing publications and promotional material. The legal basis for processing is consent.

The Heritage Council also collects historical images which have a heritage value and are related to the work of the Heritage Council.

6. How will we use your data?

All personal data must be processed in accordance with the data protection principles as set out in the Data Protection Acts and the General Data Protection Regulations 2018.

Recipients of personal data internally are staff who only have access to the personal data in the Business Unit in which they work. Some personal data is shared with third party processors, for example, web-based systems. Categories of third-party recipients are set out here:

IT Support IT Support provide essential maintenance and assistance with our IT systems and have access to all categories of personal data.

Auditors Personal information such as name, contact details, invoices, employment information, etc. are shared with auditors due to statutory obligation.

Revenue Commissioners Invoice information is shared with auditors due to statutory obligation.

Bank Name and bank account details are shared with our bank in order to pay wages, provide grant funding and pay business invoices.

Web based systems Name, contact details, tax information and bank account information is shared with our web based systems in order to process payments, process invoices, provide grant scheme funding and for external communications with our newsletter recipients.

Images Images are shared with our graphic designer for the purpose of designing publications and promotional material.

Garda Vetting Unit Name, contact details, address history are shared with the Garda Vetting Unit in order for the Heritage Council to fulfil it's safeguarding obligations.

Personal data must always be processed lawfully, fairly, and transparently.

Lawful

The Heritage Act 1995 outlines the Heritage Council's core functions. We support the heritage sector through our grant schemes and funding avenues. We educate and raise awareness through our projects and programmes. Your information will be requested where it is required to administer a scheme or programme. Your rights regarding processing of your information and your right to withdraw consent is outlined in section 9.

Fairly

We will provide you with information regarding processing your information at the time that we collect it.

Transparently

Where we have to collect, use or process your personal data, we will inform you to what extent your personal data will be processed.

Purpose Limitation

The Heritage Council will only collect personal data for specified, explicit, and legitimate purposes and not further process it in a manner that is incompatible with those purposes.

Data Minimisation

Processing of personal data must be adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed. The Heritage Council will only process personal data if it is not possible to administer our activities without personal data. The Heritage Council will ensure that the period for which personal data is stored is limited to a strict minimum.

Data Accuracy

The Heritage Council will take every reasonable step to ensure that any personal data that we hold is accurate, up to date and limited to the use for which it was collected.

Storage Limitation

Personal data should only be kept for as long as is necessary for the purposes for which the personal data are processed. The Heritage Council will take every reasonable step to ensure that personal data will be reviewed periodically for erasure.

Integrity and Confidentiality

Processes are in place to ensure that personal data is processed in a manner that ensures appropriate security and confidentiality of the personal data, including protection against unauthorised or unlawful access to or use of personal data and the equipment used for the processing and against accidental loss, destruction or damage.

Accountability

The Heritage Council is responsible for compliance with all of the Principles of Data Protection. We take our role as data controllers seriously and take adequate steps in the processing of personal data and how we comply with the GDPR.

7. How do we store your data?

The Heritage Council's servers are hosted and managed by a third-party service provider with ISO 27001 certification.

The Heritage Council has a number of employees policies in relations to ICT use, premises security, disposal of confidential waste and work practices. The staff handbook contains the Heritage Council's code of practice in relation to confidentiality, email and internet use and telephones.

The Heritage Council's ICT operating platform and hardware have been hardened and encrypted to 2021 good practice standards and will be continuously reviewed and upgraded on a monthly and quarterly basis. Hardware and software 'Firewalls' are in place, to protect end-user devices and the overall network. Devices, databases and files

are encrypted at rest and in transit, and Transport Layer Security protocols have been added to e-mail systems.

The Heritage Council has put in place a suite of employee policies for Information and Communication Technology usage, and associated risk management processes to measure, manage and remediate cyber risks.

Other Heritage Council policies can be made available by contacting the Corporate Services Officer.

8. How long will we keep your data

Retention periods are informed by relevant legislation e.g. HR legislation, Finance legislation. Where retention periods are not specified by another piece of legislation, retention periods are determined by how long is necessary to process the data. Detailed retention periods are set out in our retention schedule which can be found in our Data Protection Policy [here](#)

9. Your Rights Under GDPR

As a data subject, you have the following rights:

- **Right to have your personal data used in accordance with GDPR.** Your personal information must be obtained and used fairly, kept securely and only for as long as is absolutely necessary, and not illegitimately disclosed to others.
- **Right to be informed** about the type and extent of personal data collected or obtained from you and held by commercial companies and other organisations.
- **Right of access to your personal data.** You are entitled to get a copy of your personal information.
- **Right to rectification.** You have the right to have your personal information corrected where it is inaccurate or completed where it is incomplete.
- **Right to be forgotten.** You have the right to have your personal data erased if it is being unlawfully processed, held for longer than necessary, or used for direct marketing purposes.
- **Right to data portability** allows data subjects to get back personal data they provided to a company in a structured, commonly used and machine-readable format and transmit that data to another company of their choosing e.g. emails held by an email service provider.
- **Right to object to processing** of your personal data, particularly where it relates to direct marketing or profiling.

- **Right to restrict processing** of your personal data. Where processing of your data is restricted, it can be stored by the data controller, but most other processing actions - for example deletion - will require your permission. A typical example is where you have contested the accuracy of your data and request a restriction until the data controller has determined the accuracy of your data, or the outcome of your objection.
- **Right to freedom from automated decision-making²**. You have the right not to be subject to a decision based solely on automated processing e.g. eligibility for a scheme, work performance, etc.

Data subjects have the right to invoke any of their rights under the GDPR, this includes the right to withdraw consent for processing. They may do so by contacting the Data Protection Officer at dpo@heritagecouncil.ie or Data Protection Officer, the Heritage Council, Áras na hOidhreachta, Church Lane, Kilkenny.

10. Personal Data Breaches

A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. The Heritage Council has taken action to ensure that any personal data is held in the most secure manner possible. In the event of a data breach, the Data Protection Commission will be notified immediately, and steps taken to mediate the impact of the breach.

The Heritage Council has a separate data breach procedure document which can be made available on request from the Corporate Services Officer.

11. Use of cookies

Cookies are small pieces of text stored on your computer to help your browser keep track of your movements on our websites, remember preferences you may have selected, keep you logged in until you log out, etc.

They help us to improve our website and deliver many of the functions that make your browser experience more user friendly. By using the Heritage Council website, you are agreeing to the use of cookies as described.

No information is collected that could be used by us to identify website visitors.

Cookies may be disabled in your browser settings. However, some aspects of our websites may not function if cookies are disabled.

Our website may contain links to external websites run by other organisations. This privacy notice only applies to the Heritage Council's systems and websites. We are not responsible for the policies and practices of third-party websites, and we recommend that you are aware of the cookies policies of external websites.

² Automated decision making is a decision-making process which does not use any human involvement.

12. What we will not do with your data

Direct marketing The Heritage Council will never use personal data provided by you to undertake direct marketing as defined in law.

Profiling The Heritage Council does not use profiling in any of its processes.

14. International Transfer

Some of the websites that are used by the Heritage Council for data processing are located in third countries, such as Mail Chimp. Where this occurs, we will inform you at the time of collection of the data.

The European Union has determined that some countries outside of the EU have an adequate level of data protection and therefore data can flow between those countries without any other safeguard being necessary. The United States of America, where Mailchimp is hosted is recognised by the EU as being an adequate country.

15. Complaints

You have the right to lodge a complaint about how we handle your personal data to the competent supervisory authority, which is the Data Protection Commission.

The Data Protection Commissioner is located at 21 Fitzwilliam Square South, Dublin 2, D02 RD28.

16. Changes to this notice

We will update this notice from time to time. The notice will be available on our website. This version dates from July 2024.

17. Contact details

For more information about this notice or data protection matters, please contact the Heritage Council's Data Protection Officer at dpo@heritagecouncil.ie

