

RCNI RCC client Data Access Request Standard

We _____ Centre observe the following in ensuring full disclosure is met in terms of client access requests.

Access requests will be processed by the Data Compliance Officer. The DCO will:

- Receive all data queries from data subjects and respond promptly
- Advise data subjects of our data handling and protection measures and purpose of personal data as outlined in **You, Your data, Your Rights**
- Seek to understand the data subject's purpose or need to access their data and seek to meet that need in the most transparent and open way possible
- Advise data subjects of the right to make a formal access request and provide Form from **Data Protection Standard**
- Receive and record data access requests and respond within 30 days
- Respond to any accuracy or deletion request
- Advise data subject that they have a right to complain to the DPC if they are unhappy with our response.

The right to access information (Article 15 of the GDPR)¹

8 obligations

A client has the right to request of **_NAME OF CENTRE_** the following:

1. Confirmation of whether or not personal data concerning them is being processed;
2. Where personal data concerning them is being processed, a copy of their personal information;
3. Where personal data concerning them is being processed, other additional information as follows:
 1. Purpose(s) of the processing;

¹ This section is from the Office of the Data Protection Commissioner, 'Rights of Individuals under the General Data Protection Regulation' 2018

2. Categories of personal data;
 3. Any recipient(s) of the personal data to whom the personal data has or will be disclosed, in particular recipients in third countries or international organisations and information about appropriate safeguards;
 4. The retention period or, if that is not possible, the criteria used to determine the retention period;
 5. The existence of the following rights
 - i. Right to rectification
 - ii. Right to erasure
 - iii. Right to restrict processing
 - iv. Right to object and to request these from the controller.
 6. The right to lodge a complaint with a supervisory authority (in Ireland this is the Data Protection Commissioner);
 7. Where personal data is not collected from the data subject, any available information as to their source;
 8. The existence of automated decision making, including profiling and meaningful information about how decisions are made, the significance and the consequences of processing.
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How NAME OF CENTRE meet the 8 obligations under a formal Data Access Request:

1.
 - a. We are compliant with the **You, Your data, Your Rights** which fully informs clients of what we collect and why as well as the name and contact details of the designated **Data Compliance Officer (DCO)** to contact if they wish to make an access request.
 - b. The DCO, having confirmed the identity of the person making the query, will respond to the access request confirming we hold a person's personal data or not.
2. If we hold their personal data we will make that available in the following format:
 - a. The DCO will set up a meeting and advise the data subject of the following:
 - i. An outline of the location, security measures and who has access to their personal data from the up to date **data process mapping template**.
 - ii. DCO to outline for the client matters of data security, confidentiality and risk should they wish to take these materials away with them.
 - b. If the Data Subject wishes to continue with the data access request we will supply a copy of their personal data including:

1. Client counselling notes are not considered personal data for the purposes of Data Protection Act
 2. All material in the client file outside of the client counselling notes to be photocopied and presented to the client in hardcopy. If it exists electronically, in softcopy also.
 3. If they are entered into the RCNI data system, follow the **protocols in appendix 1**
 4. Confirm if there are other locations where their personal data are held in the centre and copy and present this information.
3. The ____ **NAME OF CENTRE**____ adheres to **the You, Your data, Your rights standard** which explains the nature, purpose and use of all personal data we collect.
 4. The ____ **NAME OF CENTRE**____ **Retention Standard** sets out the retention period and process of determining retention periods of all personal data we collect.
 5. The ____ **NAME OF CENTRE**____ adheres to **the You, Your data, Your rights standard** which explains the rectification, erasure and restricted processing Rights of persons with regard to their personal data which we process. It outlines clearly the pathway to make all such requests, ensuring the giving of consent is as easy for the client as it is to remove.
 6. It is the role of the DCO under this standard to explain the Right to Complain to a formal authority to all clients whose data we process upon being approached with a formal data access request.
 7. The ____ **NAME OF CENTRE**____ adheres to **the You, Your data, Your rights standard** which ensures the data subject can easily make an access request to the centre through the DCO. The DCO will ensure the source of any personal data in the centre not collected by the centre is known and outlined for the data subject.
 8. The ____ **NAME OF CENTRE**____ does not engage in automated decision making using personal data. Personal data is used by the Centre to understand our service uptake and the needs of our client group, which is all survivors and their supporters, particularly those in our geographic area. We may make general decisions about service delivery based on this data which may impact individuals. We may engage with funders with this data in statistical format in order to make business decisions and business cases with regards our service and funding.

Appendix 1

Access to client personal data from RCNI Database Protocol

Clients must never be put in front of the screen to view their entry as this risks significant data breach for other clients and the database.

Clients must not be given the categorisations and structure of what we collect.

Granting access process:

1. DCO locates the client data within the RCNI database using the client RCNI database number,
2. DCO writes a narrative description of the client based on those data entries (see Appendix 2)
3. DCO to explain to the client that no one except themselves and the DCO will ever see this narrative as the data is used only to create statistics and so they are aggregated and anonymised throughout their processing
4. DCO to counsel the client as to the risks, implications and considerations of hearing and leaving with this information
5. Read the information out to them upon their request
6. Provide narrative in electronic format on a secure password controlled memory stick upon their request
7. Never send by email or any other electronic means
8. Do not create a hard copy
9. Delete all soft copy records once access request complete.

Appendix 2 Creating the narrative

The narrative should follow this sample format ensuring all completed fields are within the narrative:

Demographic data:

The record on the database says that in 2016, you are a man between the age of 20 and 30, you have one child are a home owner and are married. You are originally from Kenya and are now an Irish citizen.

Abuse data: You disclosed experiencing one incident of adult sexual violence, your abuser was a cleric acting alone. The incident lasted under an hour.

Service use data: you first contacted the centre in January 2017 and started attending the centre in April 2017 and completed 10 appointments with a face to face counsellor. We accompanied you to an Garda Síochana.