

## **Contractors Administration Service (CAS) Privacy Statement**

**27<sup>th</sup> August 2019.**

### **What is the Purpose of this Privacy Statement?**

This Privacy Statement refers to our commitment to treat the information of job applicants, employees, clients, contractors, suppliers and other interested parties with the utmost care and confidentiality.

With this policy, we ensure that we gather, store and handle data fairly, transparently and with respect towards individual rights in accordance with the applicable data protection legislation including the Irish Data Protection Acts and the EU General Data Protection Regulation.

### **Who does this Privacy Statement refer to?**

This policy refers to all parties (job applicants, employees, clients, contractors, suppliers and other interested parties etc.) whose personal data is processed by us.

### **Who must follow this Privacy Statement?**

Employees of CAS, job applicants, contractors, suppliers and other interested parties etc. are also required to comply.

Generally, this Statement applies to anyone we collaborate with or who acts on our behalf and may need occasional access to data.

## What data is included?

As part of our services, on instruction from our clients and as per our contract, we need to obtain and process data. Depending on client requirements this data may include employee information, offline physical data or online data that makes a person identifiable such as names, addresses, photographs, Government identifiers, TU membership, financial data etc.

## Retention of data:

We keep your personal data only for as long as necessary for the purposes for which it was collected and to provide you with services, to conduct our legitimate business interests or where otherwise required by law.

## How CAS collects your data?

CAS collects this data in a transparent way and only with the full knowledge of interested parties. Once this information is available to CAS, the following rules apply.

Our data will be:

- Accurate and kept up-to-date
- Collected fairly and for lawful purposes only
- Processed by CAS on the basis of either a valid contract, consent, legal compliance or legitimate interest
- Protected against any unauthorised or illegal processing by internal or external parties.

Our data will not be:

- Communicated to any unauthorised internal or external parties
- Stored for more than a specified amount of time.
- Transferred to organisations, states or countries outside the European Economic area without adequate safeguards being put in place as required under Data Protection law

## How we protect your data

CAS's commitment to protect your data:

- Restrict and monitor access to sensitive data
- Develop transparent data collection procedures
- Train employees in data protection and security measures
- Build secure networks to protect online data from cyberattacks
- Establish clear procedures for reporting privacy breaches or data misuse
- Include contract clauses or communicate statements on how we handle data
- Establish data protection practices (document shredding, secure locks, data encryption, access authorisation etc.)

## Clients

Where you, as a Data Controller, engage the services of CAS, we will act as Data Processors on your behalf. In doing so, we will: -

- Only process personal data under the Contract in accordance with your reasonable written instructions and in accordance with applicable Data Protection Legislation
- Adopt appropriate technical and organisational measures against accidental disclosure, loss or destruction of personal data
- Inform you promptly in the event of unauthorised disclosure, loss or destruction of any personal data processed on your behalf
- Refer to you any requests, notices or other communication from data subjects, the Office of the Data Protection Commissioner or any other law enforcement agency relating to personal data processed on your behalf
- Ensure that all CAS personnel processing personal data are under an obligation of confidentiality
- Make available reasonable information necessary to demonstrate compliance with our Data Protection Obligations
- Make available such information and assistance as is reasonably necessary for you to comply with your obligations to respond to requests for exercising the data

subject's rights, to report personal data breaches and to conduct Data Protection Impact Assessments and Prior Consultation with Data Protection Authorities

- Comply with our obligations to you in respect of sub-processing and Third Country Transfers
- Delete or return all personal data processed on your behalf, upon the termination of any services provided by us to you

For further information in relation to this please contact our Data Protection Lead at [fiona@cas.ie](mailto:fiona@cas.ie).

## **I.I Right to Erasure**

### **When have I the right to all my personal data being deleted by CAS?**

You have the right to have your personal data deleted without undue delay if:

- The personal data is no longer necessary in relation to the purpose(s) for which it was collected/processed
- You are withdrawing consent and where there is no other legal / contractual ground for the processing
- You object to the processing and there are no overriding legitimate grounds for the processing
- The personal data has been unlawfully processed
- The personal data has to be erased so that we are in compliance with legal obligation
- The personal data has been collected in relation to the offer of information society services with a child

### **What happens if CAS has made my personal data public?**

If we have made your personal data public, we, taking account of available technology and the cost of implementation, will take reasonable steps, including technical measures, to inform those who are processing your personal data that you have requested the erasure.

## **What happens if CAS has disclosed my personal to third parties?**

Where we have disclosed your personal data in question to third parties, we will inform them of your request for erasure where possible. We will also confirm to you details of relevant third parties to whom the data has been disclosed where appropriate.

## **I.II Right to Data Portability**

### **When can I receive my personal data in machine-readable format from CAS?**

You will receive your personal data concerning you in a structured, commonly used and machine-readable format if:

- processing is based on consent
- processing is carried out by automated means

### **Would CAS transfer the personal data to another service provider if I requested this?**

We can transfer this data to another company selected by you on your written instruction where it is technically feasible taking account of the available technology and the feasible cost of transfer proportionate to the service we provide to you.

### **Under what circumstances can CAS refuse?**

You will not be able to obtain, or have transferred in machine-readable format, your personal data if we are processing this data in the public interest or in the exercise of official authority vested in us.

### **Will CAS provide me with my personal data if the file contains the personal data of others?**

We will only provide you with your personal data, ensuring we protect the rights and freedoms of others. Where personal data of another person may be on the same files as yours, we will redact the full details of the other person.

### **I.III Right for Automated Individual Decision Making including Profiling.**

#### **What are my rights in respect of Automated Decision making?**

CAS does not have any automated decision-making processes. Where any such processes are introduced, we will provide you with the relevant information required under the “General Data Protection Regulation”.

### **I.IV Right to Object**

#### **Have I already been informed about my right to object?**

We have informed you of your right to object prior to us collecting any of your personal data as stated in our privacy notice.

#### **When can I object to CAS processing my personal data?**

You can object on grounds relating to your particular situation. CAS will stop processing your personal data unless:

- We can demonstrate compelling legitimate grounds for the processing, which override your interests, rights and freedoms or
- The processing is for the establishment, exercise or defence of legal claims

## **What are my rights to object for direct marketing purposes?**

CAS **does not** use Data for Direct Marketing Purposes.

## **What are my rights to object in the use of information society services?**

In the context of the use of information society services, you may exercise your right to object by automated means using technical specifications.

Contact us at [fiona@cas.ie](mailto:fiona@cas.ie)

## **I.V Right to Restriction of Processing**

### **When can I restrict processing?**

You may have processing of your personal data restricted:

- While we are verifying the accuracy of your personal data which you have contested
- If you choose restricted processing over erasure where processing is unlawful
- If we no longer need the personal data for its original purpose but are required to hold the personal data for defence of legal claims
- Where you have objected to the processing (where it was necessary for the performance of a public interest task or purpose of legitimate interests), and we are considering whether our legitimate grounds override

### **What if CAS has provided my personal data to third parties?**

Where we have disclosed your personal data in question to third parties, we will inform them about the restriction on the processing, unless it is impossible or involves disproportionate effort to do so.

## **How will I know if the restriction is lifted by CAS and/or relevant third parties?**

We will inform on an individual basis when a restriction on processing has been lifted.

## **I.VI Right of Rectification Policy**

### **What can I do if CAS is holding incorrect personal data about me?**

Where you suspect that data we hold about you is inaccurate, we will on demand rectify any inaccuracies without undue delay and provide confirmation of same.

### **What happens if CAS has disclosed my personal to third parties?**

Where we have disclosed inaccurate personal data to third parties, we will inform them and request confirmation that rectification has occurred. We will also provide you with details of the third parties to whom your personal data has been disclosed.

## **I.VII Right to withdraw consent**

### **Under what circumstances could I withdraw consent?**

You can withdraw consent if we are processing your personal data based on your consent.

### **When can I withdraw consent?**

You can withdraw consent at any time.

### **If I withdraw consent what happens to my current data?**

Any processing based on your consent will cease upon the withdrawal of that consent. Your withdrawal will not affect any processing of personal data prior to your withdrawal of consent, or any processing which is not based on your consent.

## **I.VIII Right to lodge a complaint**

### **Can I lodge a complaint with the Data Protection Commission?**

You can lodge a complaint with the Data Protection Commission in respect of any processing by or on behalf of CAS of personal data relating to you.

### **How do I lodge a complaint?**

Making a complaint is simple and free. All you need to do is write to the Data Protection Commission giving details about the matter. You should clearly identify the organisation or individual you are complaining about. You should also outline the steps you have taken to have your concerns dealt with by the organisation, and what sort of response you received from them. Please also provide copies of any letters between you and the organisation, as well as supporting evidence/material.

### **What happens after I make the complaint?**

The Data Protection Commission will then take the matter up with CAS for you.

## **I.IX Right of Access Policy**

### **When do I have the right to access my personal data from CAS?**

Where CAS process any personal data relating to you, you have the right to obtain confirmation of same from us, and to have access to your data.

## What information will CAS provide to me?

If we are processing your personal data you are entitled to access a copy of all such personal data processed by us. If requested we will also provide the following:

- Why we are processing your personal data
- The types of personal data concerned
- The third parties or categories of third parties to whom the personal data have been or will be disclosed. We will inform you if any of the third parties are outside the European Economic Area (EEA) or international organisations
- How your personal data is safeguarded where we provide your personal data outside the European Economic Area or to an international organisation
- The length of time we will hold your data or if not possible, the criteria used to determine that period
- Your rights to:
  - Request any changes to inaccurate personal data held by us
  - Have your personal data deleted on all our system
  - Restriction of processing of personal data concerning you
  - To object to such processing
  - Data portability
  - Your right to lodge a complaint with the Data Protection Commission [info@dataprotection.ie](mailto:info@dataprotection.ie)
- Where we have collected your personal data from a third party, we will provide you with the information as to our source of your personal data
- Any automated decision-making, including profiling which includes your personal data. We will provide you with meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for you.

### **How long will it take to receive my personal data from CAS?**

We will provide you with a copy of the personal data we are currently processing within one month of request. In rare situations if we are unable to provide you with the data within one month we will notify you within 10 days of your request explaining the reason for the delay and will commit to delivery within a further two months.

### **How much will it cost me to receive my personal data?**

We will not charge for providing your personal data unless we believe the request is excessive and the cost of providing your data is disproportionate to your services provided.

### **Can I request additional copies of my personal data?**

If you require additional copies we will charge €20 to cover our administrative costs.

### **Can I receive my personal data electronically?**

You can request your personal data by electronic means and we will provide your personal data in a commonly used electronic form if technically feasible.

### **What will CAS do if another person's personal data is shared with my personal data?**

We will only provide you with your personal data, ensuring we protect the rights and freedoms of others. Where personal data of another person may be on the same files as yours, we will redact the full details of the other person.

## **Contractors Administration Service (CAS) Unsolicited and Solicited CV's Policy**

### **Using email to Communicate**

Any information you send to CAS via email is sent via an unsecured email link. Due to the nature of the internet, there is a possibility that unsecured (unencrypted) email could be intercepted and read by third parties. CAS assumes no responsibility for interception of confidential information (including in a CV) that you send in an unsecured (unencrypted) email message.

### **Right to Hire**

Any employment agency, person or entity that submits an unsolicited Curriculum Vitae (CV) to CAS does so with the understanding that CAS will have the right to hire that applicant at its discretion without any fee owed to the submitting employment agency, person or entity.

### **Application for an Unsolicited Job**

If you are interested in applying for an unsolicited job within CAS you may provide us with your CV. We will then match your qualifications and experience to the position you applied for, or any other current job opportunity. If your profile corresponds to our requirements, we will contact you.

### **Verification**

Verification checks are required for specific roles and will be identified in the job advertisement where relevant. Verification checks such as:

- Reference checks
- Proof of Identity
- Proof of Residency
- Proof of the Right to Work
- Garda Vetting (only in limited circumstances)

## **The Purpose of Personal Data Processing**

The personal data you provide CAS will be used for the purpose described below:

- **Solicited or unsolicited Job Applications:**  
CAS collects and processes name and contact details and other personal data which you have provided in your CV and job application.

## **Emails**

Any emails sent between CAS and the person sending unsolicited CV's is solely for business communication purposes and will not be deemed personal data.

## **Deletion and Rectification of your Personal Data**

Personal data processed because of unsolicited job applications, where the job applicant is not offered a job, will be deleted 1 week after the rejection of application has been sent to the job applicant (in some cases no communication may take place), unless the job applicant accepts the storage for a longer period. In such case, the application will be stored for 6 months.

## **Sensitive Personal Data**

CAS endeavours not to collect "sensitive personal data" via CV's. By "sensitive personal data" is meant personal data relating to race or ethnic origin, political opinions, religious or philosophical beliefs, membership of trade unions, or health or sex life.

**Should you have any queries or require any clarification, please do not hesitate to contact us at [fiona@cas.ie](mailto:fiona@cas.ie)**