



Document Name	Data Protection Policy
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About Bodywhys

Founded in 1995, Bodywhys – The Eating Disorders Association of Ireland - is the national voluntary organisation supporting people affected by eating disorders and their families. Bodywhys provides a range of non-judgemental listening, information and support services, as well as school talks, training, literature and webinars. Other aspects of the organisation's work include developing professional resources and collaborating with social media companies to respond to harmful online content and working with the mainstream media to create awareness about eating disorders. Bodywhys develops evidence-based programmes to promote positive body image and social media literacy in children and adolescents and provide relevant supports and guidance for parents and education professionals on same. Bodywhys is the support partner to the HSE's National Clinical Programme for Eating Disorders (NCP-ED).

Purpose

This policy document reflects the commitment by Bodywhys to protect the rights and privacy of individuals in accordance with data protection legislation, namely Data Protection Acts 1988 and 2003 (amended) in Ireland and from a European level, the General Data Protection Regulation (GDPR). Bodywhys is committed to ensuring compliance and best practice guidelines and procedures in relation to all aspects of data protection.

The GDPR took effect on 25/05/2018. GDPR is based on seven principles, which regulate the processing of personal data.

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

7. Accountability.

Further information on GDPR is available from the website of the Data Protection Commission <https://www.dataprotection.ie/>

Data Protection Principles

Bodywhys adheres to its responsibilities under the Acts in accordance with the eight data protection principles outlined in the legislation as follows:

1. Obtain and process information fairly
2. Keep it only for one or more specified and lawful purposes
3. Process it only in ways compatible with the purposes for which it was given to you initially
4. Keep the data safe and secure
5. Keep the data accurate, complete and up-to-date
6. Ensure that it is adequate, relevant and not excessive
7. Retain data for no longer than necessary for the purpose(s) for which it is acquired
8. Provide a copy of his/her personal data to the relevant individual, on request.

Special categories of personal data

Under GDPR, there are special categories of data which are subject to further protection.

- Racial or ethnic background
- Political, religious or philosophical beliefs
- Trade union membership
- Health data, genetic data, biometric data
- Sexual life information
- Criminal record or accusations of a criminal offence

Processing of these special categories is prohibited, apart from limited circumstances outlined in Article 9 of the GDPR.

Responsibility

As a controller of personal data, Bodywhys has overall responsibility for ensuring compliance with data protection legislation. All Bodywhys staff who collect and control personal data are responsible for compliance with legislation.

It is the policy of Bodywhys that all confidential and sensitive information is safeguarded from unauthorised access, modification or usage. Within Bodywhys, access rights to electronic information are confined to members of staff. Individuals who volunteer with Bodywhys support services, and who record confidential information, are obligated to adhere to a confidentiality agreement. Volunteers do not have access to confidential electronic data available to staff.

Practical steps for data protection, as advised by the Health Service Executive (HSE)

Sensitive information, electronic or non-electronic, must be kept hidden from visitors to the Bodywhys office. Files containing personal information must not be left unattended or visible to unauthorised individuals or members of the public.

Computer systems, including email, must be password protected to avoid access by unauthorised individuals or members of the public.

Office space and associated storage units that contain confidential information must be locked when unattended.

Service user or staff information must not be discussed in inappropriate areas where it may be overheard, including telephone contacts, video calls, meetings and conversations.

Staff must only access information on a need-to-know basis and should only view or use data that is relevant or necessary for them to carry out their work.

Staff must not leave laptops or portable electronic devices and/or files containing personal information unattended in motor vehicles. All files and portable equipment must be stored securely. If files containing personal information must be transported in a car, they should be locked securely in the car's boot for the minimum period necessary.

Postal mail containing sensitive personal information should be marked clearly with "Strictly Private and Confidential". If proof of delivery is necessary, information of this nature should be sent by registered post.

Bodywhys and Personal Information

People may provide Bodywhys with information by

- Contacting the organisation by letter, telephone, email, at events, conferences or webinars or through social media accounts
- Subscribing to the Bodywhys eBulletin (electronic newsletter)
- Applying for membership of Bodywhys
- Donating to, or fundraising for, Bodywhys
- Applying to work with Bodywhys as an employee
- Applying to volunteer with Bodywhys
- Requesting a school talk
- Requesting professional training in eating disorders
- Submitting a media request
- Submitting a research request
- Submitting a request for an interview with a staff member
- Submitting a request for materials, such as literature, guides, resources, leaflets, or posters
- Using the organisation's support services
- Completing organisational surveys circulated by Bodywhys
- Visiting the Bodywhys website.

Why Bodywhys collects information

We collect information to assist in the effective operation of our organisation, to communicate clearly, to campaign, raise awareness and understanding of eating disorders and recovery, help-seeking, to advocate for improved public specialist eating disorder services, to educate the public, allied healthcare and professional groups, to recruit staff and volunteers, to hold events, to engage with the mainstream media, to undertake research and to improve our website.

How Bodywhys uses information it collects

Bodywhys uses information it collects to

- Process enquiries
- Liaise with individuals, groups, or institutions about projects, meetings, launches and panels that Bodywhys are involved in
- Comply with obligations arising from contractual agreements
- Register people for Bodywhys events and activities
- Share news about Bodywhys
- Process applications and payments
- Support a fundraising event or initiative
- Comply with our legal duties, requirements and responsibilities
- Provide security to, and ensuring the health and safety of, employees, volunteers and visitors to company premises
- Administer and improve Bodywhys websites and for internal operations through troubleshooting, data analytics, testing, statistical and survey purposes - to keep our website safe and secure
- Collect demographic information to understand uptake of our support services and to share statistics with the HSE and through our annual reports and social media campaigns.

Retaining Personal Information

The time periods for which we retain personal data 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. Bodywhys does not transfer data outside of the European Union (EU).

Disclosure of Personal Information

Bodywhys may share personal data with selected third parties, for example, suppliers and researchers due to any contract we enter with them or with data subjects and to assist us in fulfilling our functions such as

- Cloud service providers
- Customer Relationship Management (CRM) providers

- Archive/shredding companies
- Professional researchers
- Email and IT service providers.

Subject Access Requests and Data Subjects Rights

GDPR and Data Protection Acts give individuals the right to access information held about them by Bodywhys. Bodywhys must respond to all requests for personal information and will provide this information free of charge. Individuals may request to see any personal information Bodywhys holds about them, including copies of email correspondence.

Bodywhys will manage requests in a timely manner, within the timelines stipulated by legislation.

Where a data subject makes a formal request to Bodywhys to retrieve information held by the organisation, this request gives rise to the following access rights under GDPR and in accordance with the Data Protection Act 2018.

- The right to be informed i.e. the right to access information Bodywhys holds about them
- The right of access
- The right to erasure i.e. the right to have Bodywhys remove any information we hold in circumstances such as where it is no longer necessary for us to hold the information for, or if data subjects withdraw consent to the processing
- The right of rectification i.e. the right to require Bodywhys to rectify any inaccurate information about them without undue delay
- The right to restrict processing
- The right to object i.e. the right to object to Bodywhys processing information about them
- The right to data portability, i.e. the right to ask Bodywhys to provide personal data in a portable format or, where technically feasible, for Bodywhys to port that information to another provider, provided it does not result in a disclosure of information relating to other people
- The right to withdraw consent for data processing
- Rights linked to data profiling and automated decision-making.

Security of Personal Data

Bodywhys will take all reasonable and practical steps to secure personal data from unauthorised access, use or disclosure.

Data Retention Policy and Schedule

Under GDPR, Bodywhys, as a data controller, must process personal data in a fair manner which notifies data subjects of the purposes of data processing and the organisation must 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. GDPR sets out the information that Bodywhys must supply and when individuals should be informed of this information. Bodywhys is obliged to provide data subjects with information on retention periods and criteria used to determine the retention periods.

Grounds for Processing Personal Data

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

Legal grounds for processing personal data

- 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 is being processed. If there is no justification for retaining personal information, it must be routinely deleted. Information must not be kept "just in case" a use can be found for it in the future.

Document Retention Procedure

Bodywhys is required to retain certain records, typically for a specific amount of time. The accidental or intentional destruction of these records during their specified retention periods could result in consequences including

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

Bodywhys must retain certain records because they contain information that

- Serves as organisational memory
- Have specific business value (for example, they provide a record of a business transaction, evidence Bodywhys's rights or obligations, protect our legal interests or ensure operational continuity
- Satisfies legal, accounting or other regulatory requirements.

Data Breach Notification

Bodywhys treat data breaches with the utmost seriousness. Any staff member or volunteer who becomes aware of a potential data breach and fails to notify the organisation's Data Protection Officer, currently the Interim Chief Executive Officer (CEO), may be subject to internal disciplinary procedures depending on the severity of the breach.

Records

Records include information created, received or transmitted in the transaction of Bodywhys's operations and activities. Examples of where the various types of information are located are

- Diaries and calendars
- Audio and video recordings e.g. interviews, podcasts, webinars
- Computer programs/applications or software

- Contracts
- Conference and webinar registrations
- Electronic files/information on hard drives/USB sticks
- Cloud services or other back ups
- E-mails
- Handwritten notes
- Invoices
- Letters and other correspondence
- Memory in mobile phones and portable devices
- Online postings, such as on Facebook, Twitter, Instagram, LinkedIn, YouTube and other sites
- Membership applications
- Performance reviews
- Photographs
- Voicemails.

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 time outlined in the Retention Schedule.

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 Bodywhys and retained primarily for reference purposes

- Spam and junk mail.

Confidential Information Belonging to Others

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

Role of Research and Policy Officer

The Research and Policy Officer, in conjunction with the Interim CEO, holds responsibility for identifying the documents that Bodywhys must or should retain.

The responsibilities of the Research and Policy Officer include

- Arranging for the secure 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, creating and prescribing document disposal policies, systems, processes and procedures
- Monitoring compliance so that staff are informed about how to follow the document management procedures
- Developing and implementing measures to ensure that the Interim CEO is informed what information Bodywhys has and where it is stored, that only authorised users have access to the information, and that Bodywhys keeps only the information it needs, to ensure efficient usage of space
- Developing standards for filing and storage equipment and record keeping supplies
- Identifying essential records and establishing a disaster plan for each team and department to ensure maximum availability of Bodywhys's records 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

- Reviewing the records retention schedules to determine if the Bodywhys document management process and its Records Retention Schedule is in compliant with legislation
- Explaining to employees their duties relating to the document management process
- Ensuring that the maintenance, preservation, computer disk storage, destruction or other disposition of Bodywhys' records is carried out in accordance with this policy, the procedures of the document process and our legal obligations
- Planning the timetable for an annual records destruction exercise and records audit
- Evaluating the overall effectiveness of the document management program

Storage and Destruction of Records

Records held by Bodywhys must be stored in a safe, secure and accessible manner.

The Research and Policy Officer 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 must be conducted by confidential shredding.

Queries About the Policy

Any questions about this policy should be referred to the Research and Policy Officer who is responsible for administering and updating this policy.

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