



Galway Language Centre

Bridge Mills

Galway Language Centre

GDPR and Privacy Documentation

Information and Data Management

1.1 Data Protection Policy – Organisation

Everyone has rights with regards to how their personal information is handled. During Bridge Mills Galway Language Centre activities we may collect, store and process personal information about staff, students, guardians, host families, educational partners, clients and service providers, and recognise the need to treat this data in an appropriate and lawful manner. Bridge Mills Galway Language Centre is committed to complying with its obligations in respect to all personal data it handles.

The school will identify key data that will be used as key performance indicators e.g. minimum and maximum learner numbers per programme, learner progression/learner attrition or drop-out rates, completion rates, graduation / certification rates including grade analysis and career paths of graduates where appropriate. This data will be analysed appropriately and reviewed by the Academic Committee and reported to the Board as performance indicators.

The types of personal data that Bridge Mills Galway Language Centre may be required to handle includes details of current, past and prospective employees, students, guardians, educational partners, host families, suppliers, customers and others that Bridge Mills Galway Language Centre communicates with. The information, which may be held on paper or on a computer or other media is subject to certain legal safeguards specified in the General Data Protection Regulation (GDPR) (EU) 2016/679 and other regulations. The GDPR impose restrictions on how Bridge Mills Galway Language Centre may collect and process data.

In accordance with GDPR, Patrick Creed is the designated 'Data Protection Lead' (DPL) within Bridge Mills Galway Language Centre and is responsible for all aspects of the Data Protection Policy and implementation of same.

This policy does not form part of any employee's contract of employment and it may be amended at any time. Any breach of this policy will be taken seriously and may result in disciplinary action up to and including dismissal.

Purpose and Scope of the Policy

This policy sets out Bridge Mills Galway Language Centre's rules on data protection and the legal conditions that must be satisfied in relation to the collection, obtaining, handling, processing, storage, transportation and destruction of personal and sensitive information.

If an individual considers that the policy has not been followed in respect of personal data about themselves or others, they should raise the matter with the DPL.

Definition of Data Protection Terms

Data – Information which is stored electronically, on a computer, or in certain paper-based filing systems. This includes IT systems and CCTV systems.

Data Subjects - For the purposes of this document includes all living individuals about whom Bridge Mills Galway Language Centre holds personal data.

Personal Data – Data relating to a living individual who can be identified from the data (or from that data and other information that is in, or likely to come into the possession of the data controller). Personal data can be factual (such as a name, address or date of birth) or it can be an opinion (such as a performance appraisal).

Data controllers – The individuals or organisations who control and are responsible for keeping and use of data.

Data users – Employees whose work involves using personal data. Data users have a duty to protect the information they handle by following Bridge Mills Galway Language Centre’s data protection security policies at all times.

Processing – Performing any operation or set of operations on data including: -

Obtaining, recording or keeping data

Collecting, organising, storing, altering or adapting the data

Retrieving, consulting or using the data

Disclosing the information or data by transmitting, disseminating or otherwise making it available

Aligning, combining, blacking, erasing or destroying the data

Sensitive personal data – Information about a person’s racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health condition or sexual life, criminal convictions or the alleged commission of an offence. Sensitive personal data can only be processed under strict conditions and will usually require the express consent of the person concerned.

Data Protection Principles

Anyone processing personal data must comply with the eight enforceable principles of good practice. These provide that personal data must be: -

Obtained and processed fairly

GDPR’s are intended not to prevent the processing of personal data, but to ensure that it is done fairly and without adversely affecting the rights of the data subject. The data subject must be told who the DPL is, in this case Patrick Creed, the purpose for which the data is to be processed by Bridge Mills Galway Language Centre and the identities of anyone to whom the data may be disclosed or transferred.

For personal data to be processed lawfully, certain conditions must have been met. These may include, among other things, requirements that the data subject has consented to the processing, or that the processing is necessary for the legitimate interest of the data controller or the party to whom the data is disclosed. When sensitive personal data is being processed, more than one condition must be met. In most cases the data subject’s explicit consent to the processing of such data will be required.

Kept only for one or more specified, explicit and lawful purposes

Personal data may only be processed for the specific purposes notified to the data subject when the data was first collected or for other purposes specifically permitted by GDPR. This means that personal data must not be collected for one purpose and used for another. If it becomes necessary to change the purpose for which the data is processed, the data subject must be informed of the new purpose before any processing occurs. Any employee personal data collected by Bridge Mills Galway Language Centre is used for ordinary Human Resources purposes. Where there is a need to collect employee data for another purpose, Bridge Mills Galway Language Centre will notify the employee of this and where it is appropriate will get employee consent to such processing.

Used and disclosed only in ways compatible with these purposes

Personal data should only be collected to the extent that it is required for the specific purposes notified to the data subject. Any data which is not necessary for that purpose should not be collected in the first place.

Kept safe and secure

Bridge Mills Galway Language Centre and its employees must ensure that appropriate security measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.

GDPR require Bridge Mills Galway Language Centre to put in place procedures and technologies to maintain the security of all personal data. Personal data may only be transferred to a third-party data processor if the third party has agreed to comply with those procedures and policies or has adequate security measures in place.

The following must be maintained: -

Confidentiality – Only people authorised to use the data can access it. Bridge Mills Galway Language Centre will ensure that only authorised persons have access to an employees' personal file and any other personal or sensitive data held by Bridge Mills Galway Language Centre. Employees are required to maintain the confidentiality of any data to which they have access.

Integrity – Personal data is accurate and suitable for the purpose for which it is processed.

Availability – Only authorised users should be able to access the data if they need it for authorised purposes

Security Policy / Procedures include: -

Secure lockable desks and cupboards. - Clear desk policy, all desks and cupboards remain locked when not in use. (Personal information is always considered confidential) and treated with extra precautions ensuring no one can see work that contains the same.

Methods of disposal. – Paper documents must be shredded. All removable media should be wiped and physically destroyed when no longer required.

Equipment – Data users should ensure that individual monitors do not show confidential information to passers-by and that the screen saver starts as soon as their PC is unattended.

ISO 27001 – Compliance is required to all Policies with regards to ISO27001, including the IT Security Policy documents.

Kept accurate, complete and up to date

Personal data must be accurate and kept up to date. Information which is incorrect, or misleading is not accurate, and steps should be taken to check the accuracy of any personal data at the point of collection and at regular intervals afterwards. Inaccurate or out-of-date data should be destroyed. Employees should ensure that they notify the DPL and Human Resources of any relevant changes to their personal information so that it can be updated and maintained accurately. Examples of relevant changes to data would include a change of address.

Adequate, relevant and not excessive

Retained for no longer than is necessary for the purpose or purposes for which it was collected

Personal data should not be kept longer than is necessary for the purpose. For guidance in relation to data retention to data retention employees should contact their manager. Bridge Mills Galway Language Centre has various legal obligations to keep certain employee data for a specified period. In addition, Bridge Mills Galway Language Centre may need to retain personal data for a period to protect its legitimate interests.

Provided to data subjects as requested

Data must be processed in line with data subject's rights. Data subjects have a right to: -

Request access to any data held about them by the Data Controller

Prevent the processing of their data for direct marketing purposes

Ask to have inaccurate data amended

Prevent processing that is likely to cause or distress to themselves or anyone else

Dealing with Subject Access Requests

A formal request from a data subject for information that Bridge Mills Galway Language Centre holds about them must be made in writing. Any employee who receives a written request in respect of data held by Bridge Mills Galway Language Centre should forward it to the Data Controller.

Providing Information Over the telephone

Any employee dealing with telephone enquiries should be careful disclosing any personal information held by Bridge Mills Galway Language Centre over the phone. The employee should: -

Check the identity of the caller to ensure that information is only given to a person who is entitled to that information

Suggest that the caller put their request in writing if the employee is not sure about the identity of the caller and in circumstances where the identity of the caller cannot be verified

Refer the request to their manager and/or the Data Controller for assistance in difficult situations. No employee should feel forced into disclosing personal information.

Direct Marketing

At Bridge Mills Galway Language Centre, it is our policy not to contact any potential individuals without their permission. To comply with this policy, our pre-sales employees are requested to ensure the following: -

Do not call or email another organisation until it is confirmed that they have a web presence or already in the public domain with their contact details such as address and telephone number published on the same.

When a call is made, permission must be sought to get the correct contact information such as the relevant decision maker with regards to IT purchasing. A record must be kept of whom our employee spoke to and date and time of the call.

All email contact must contain an 'Opt-Out' clearly identified options.

We do not market via Postal, Text or Fax.

All Opt-Outs must be respected (telephone or electronic) by deleting the contact permanently.

Policy Review

Bridge Mills Galway Language Centre will continue to review the effectiveness of this policy to ensure it is achieving its stated objectives on at least an annual basis and more frequently if required considering changes in the law and organisational or security changes.

1.2 Data Protection Policy - Employees

Bridge Mills Galway Language Centre processes personal data of all employees. Bridge Mills Galway Language Centre will process all such data in accordance with the General Data Protection Regulation (GDPR) in force from 25th May 2018.

The purposes for which we process the personal data on employees are: -

To manage the progression of each employee throughout their tenure of employment

To ensure that correct training and development is provided

To ensure employees are correctly rewarded for their service to the appropriate bank accounts

To engage with Revenue for payment of employment taxation

To comply with all relevant law

To ensure contact details of employees are available if required for the purpose of providing our services

To manage any disputes, should they arise

To ensure a next of kin can be contacted if required

Bridge Mills Galway Language Centre share employee details with external bodies such as Revenue, Social Welfare, outsourced Employment Law advisors, auditors, pension brokers & trustees and insurers.

Bridge Mills Galway Language Centre does not transfer any employee personal data to a 3rd country.

Bridge Mills Galway Language Centre ensures all employees personal data is processed subject to sufficient organisational and technical safeguards to protect employee data.

Types of Personal Data (i.e. any information relating to an identified or identifiable person)		Legal Basis	Retention Period
Demographic Data	e.g. name, date of birth, age,	Contract	End of Employment plus 7 years
Contact Details	e.g. home/work landline phone number, personal/work mobile, home/work postal address, personal/work email address	Contract	End of Employment plus 7 years
Financial Data	e.g. bank account number, credit card number	Contract	End of Employment, when P45

Digital Identifiers	e.g. IP Address, MAC Address, X/Y Geographic Coordinate, meta data	Contract	End of Employment
Social Media	URL LinkedIn,	Consent	End of Employment
Special Data	e.g. data relating to racial or ethnic origin, political, religious or, philosophical beliefs, trade union membership, health, sexual life or orientation, genetic or biometric data	Not Collected	Not Collected
Criminal Offences/Convictions	N/A	N/A	N/A
Government Identifiers	driver's licence, income tax number	Contract	End of Employment plus 7 years for Income Tax, End of Employment plus 1 year for driving license
Time Records	Timesheets	Compliance	3 Years

I.I Right to Erasure

When have I the right to all my personal data being deleted by Bridge Mills Galway Language Centre?

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 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 must 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 Bridge Mills Galway Language Centre 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 Bridge Mills Galway Language Centre 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 Bridge Mills Galway Language Centre?

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 Bridge Mills Galway Language Centre 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 Bridge Mills Galway Language Centre 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 Bridge Mills Galway Language Centre 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.

Contact us at director@galwaylanguage.com

I.III Right for Automated Individual Decision Making including Profiling

What are my rights in respect of Automated Decision making?

Bridge Mills Galway Language Centre 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 Bridge Mills Galway Language Centre processing my personal data?

You can object on grounds relating to your situation.

Bridge Mills Galway Language Centre] will stop processing your personal data unless: -

we can demonstrate compelling legitimate grounds for the processing, which override your interests, rights and freedoms.

the processing is for the establishment, exercise or defence of legal claims.

What are my rights to object for direct marketing purposes?

Where your personal data is processed for direct marketing purposes, you have the right to object at any time to processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing.

Where you object to processing for direct marketing purposes, we will no longer process this data for such 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 director@galwaylanguage.com

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 Bridge Mills Galway Language Centre 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 Bridge Mills Galway Language Centre and/or relevant third parties?

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

Contact us at director@galwaylanguage.com

I.VI Right of Rectification Policy

What can I do if Bridge Mills Galway Language Centre 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 Bridge Mills Galway Language Centre 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.

Contact us at director@galwaylanguage.com

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.

Contact us at director@galwaylanguage.com

I.VIII Right to lodge a complaint

Can I lodge a complaint with the Data Protection Commissioner?

You can lodge a complaint with the Data Protection Commissioner in respect of any processing by or on behalf of Bridge Mills Galway Language Centre 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 Commissioner 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 Commissioner will then take the matter up with Bridge Mills Galway Language Centre on your behalf.

I.IX Right of Access Policy

When do I have the right to access my personal data from Bridge Mills Galway Language Centre
Where Bridge Mills Galway Language Centre 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 Bridge Mills Galway Language Centre **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. We will also provide the following information including your full rights under Data Protection: -

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 systems.

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

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 Bridge Mills Galway Language Centre?

We will provide you with a copy of the personal data we are currently processing within 30 days of request. In rare situations if we are unable to provide you with the data within 30 days we will notify you, within 10 days of your request, explaining the reason for the delay and will commit to delivery within a further 60 days. i.e. 90 days in total.

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 Bridge Mills Galway Language Centre 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.

Contact us at director@galwaylanguage.com

Bridge Mills Galway Language Centre will continue to review the effectiveness of this policy to ensure it is achieving its stated objectives on at least an annual basis and more frequently if required considering changes in the law and organisational or security changes.

Signed: Patrick Creed

Date: 28/05/2019

ISMS Policy Owner: Bridge Mills Galway Language Centre

1.3 Data Protection Governance Framework

Purpose

GDPR places onerous accountability obligations on controllers and processors to demonstrate compliance.

The purpose of the Data Protection Governance Framework is to ensure Bridge Mills Galway Language Centre has good governance in the management of personal data processed as a controller and a processor.

Objective

To ensure personal data processed as a controller and/or a processor is monitored, controlled and recorded by the appropriate members of Bridge Mills Galway Language Centre throughout the lifecycle from creation, processing, storage, transmission, deletion and destruction of personal data. Privacy by design and data protection by default must be standard practice for processing all personal data within Bridge Mills Galway Language Centre.

To provide an accountability approach by: -

Documenting policies and procedures to be implemented by all staff

Building a culture of data protection in the office, on client site and while transferring data

Educating all staff to ensure data protection encompasses the whole lifecycle of data in use, in transit and in rest whether physical or logical

Providing the infrastructure for ongoing, efficient data protection management

Developing a data protection risk mitigation strategy (specifically for the individual)

Embedding data protection risk management throughout Bridge Mills Galway Language Centre

Empowering Partners and Managers to assume responsibility for ensuring maintenance of Accountability Framework.

Scope

The scope of this policy is to cover all categories of personal data held on various data subjects including but not limited to: -

Students

Guardians

Teachers

Educational Partners

Host Families

Potential candidates for employment

Employees

Contractors

Sole Traders/Partnerships personal data

Sole Traders/Partnerships business personal data

Companies

Suppliers

Personal data is information relating to an identified or identifiable natural person ('data subject'). Identifiable natural person is one who can be identified, directly or indirectly, name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Data Protection Management

Bridge Mills Galway Language Centre will assign the management of personal data to Director@galwaylanguage.com. The role will include: -

Provide external training providers to inform Bridge Mills Galway Language Centre of their obligations under GDPR

Coordinate the monitoring of compliance to GDPR with the assistance of external consultants and management

Alert management when Data Protection Privacy Impact Assessments are required

Report to management

Being a member of the Data Breach committee

Training

Bridge Mills Galway Language Centre will implement a training programme covering data protection generally and the areas that are specifically relevant to their schools or colleges.

Senior Staff

Bridge Mills Galway Language Centre will ensure all management and teachers are educated about their requirements under GDPR and the possible impact of non-compliance for Bridge Mills Galway Language Centre

Bridge Mills Galway Language Centre will identify key senior management to support the data protection compliance programme.

General Staff

Bridge Mills Galway Language Centre will ensure all staff and teachers are provided with a training programme covering data protection generally. Also, the areas that are specifically relevant to their jobs, providing the new policies setting out to comply.

Bridge Mills Galway Language Centre has a policy that all staff and teachers should be trained on Data Protection and will also ensure refresher training is provided when required.

Attendance at all training courses is recorded.

Privacy by Design

Bridge Mills Galway Language Centre will adopt internal policies, Technical and Organisational Measures (TOM) to meet the principles of privacy by design and data protection by default. [Bridge Mills Galway Language Centre] will adopt internal policies and implement technical and organisational measures by: -

Implementing pseudonymisation and encryption where feasible

Data Minimisation

Risk Management

Integrating data privacy into IT policies, Data Retention and Deletion Policy

Providing data subject transparency and access

By developing access controls for confidentiality which provide that only personal data which is necessary for each specific purpose of the processing is processed during the retention period as informed to the data subject

By developing access controls (roles-based) which provide that personal data is not made accessible to more individuals than necessary for the purpose

Providing an audit trail of the access controls

Ability to restore availability of and access to data in the event of an incident

Regular test of the effectiveness of security measures

Data Privacy Impact Assessment (DPIA)

Bridge Mills Galway Language Centre will carry out privacy impact assessments where a type of processing is likely to result in a high risk for the rights and freedoms of data subjects in the following cases but not limited to this list: -

- in the event of a systematic monitoring of a publicly accessible area
- in the context of profiling on which decisions are based that produce legal effects
- in the event of implementing new IT which infringes on the data subject's rights
- in the event there is a change to the risks posed by the processing operations to personal data

Bridge Mills Galway Language Centre will have in place a process for determining whether a Data Privacy Impact Assessment (DPIA) is required. A DPIA will be embedded in all Business Cases presented to management for any proposed new projects.

If a DPIA is required, the following process will be conducted: -

- a systematic description of the processing operations and purposes of the processing
- an assessment of the necessity and proportionality of the processing operations
- an assessment of the risks to the rights and freedoms of data subjects
- if appropriate may seek the views of the affected data subjects measures envisaged to address the risks

Bridge Mills Galway Language Centre will consult the Supervisory Authority if a DPIA result is of a high level of risk where Bridge Mills Galway Language Centre cannot take measures to mitigate this risk.

Demonstrating Consent

Bridge Mills Galway Language Centre will have an audit trail for consent. This will demonstrate that consent was given when relying on consent as a ground for processing personal data. Given the nature of the services offered consent is predominately relied on prior to engagement letters signed by the student or parent/guardian at the enrolment stage.

Consent is recorded from all data with a clear record of what each individual data subject consented to: -

Demonstrating Compliance to the data protection principles

Bridge Mills Galway Language Centre will document all the current processing activities to provide a Personal Data Register Data Protection Register identifying: -

- Service Department and Service line
- Data Class and Data Category
- Process Name
- Purpose for processing
- Data category and Data class
- Controller/Processor/Both/Joint Controller
- Data Owners
- Lawful basis
- Data Accuracy Process
- Process Map where available
- Format of Data
- Recipients of Data
- Data shares internally and lawful bases provided
- Transfer methods
- Location of Data storage
- Retention Periods
- Data Access Controls
- Risk Management
- Transfers to Third Countries
- External Processor

Bridge Mills Galway Language Centre will update its current policies and procedures to ensure compliance to the principles. See Section Policy Section.

Records to be maintained as a Data Controller

Bridge Mills Galway Language Centre will: -

- clearly identify where personal data is processed within the company, including by third party processors
- provide the name and address details of the Bridge Mills Galway Language Centre and any joint controller
- use the Personal Data Register to record details of
- the purposes of the processing
- a description of categories of data subjects and personal data
- the categories of recipients of personal data
- the details of transfers to third countries
- the time limits for erasure of different categories of data
- a general description of technical and organisational security measures taken

Records to be maintained as a Processor Bridge Mills Galway Language Centre as a Processor for many of its clients will maintain a record of all categories of personal data processing activities carried out on behalf of its clients (controllers).

Bridge Mills Galway Language Centre will use the Personal Data Register to record the following details in respect of each Client (controller)

- name and contact details of the client (controller) on behalf of which it is processing
- categories of processing
- transfers of data to a third country or international organisation
- general description of the technical and organisational security measures

As part of data accuracy Bridge Mills Galway Language Centre will keep information relating to the contracts that they are responsible for up-to-date and accurate.

Export of Personal Data

Bridge Mills Galway Language Centre will review and map the international data flows, including:

- data flows where Bridge Mills Galway Language Centre is exporting to a controller or processor outside of the EEA
- data flows Bridge Mills Galway Language Centre is importing as a processor or controller
- consider what existing data transfer mechanisms are in place and whether these continue to be appropriate.

Countries that are currently white listed remain so until a Commission review finds otherwise

Andorra, Argentina, Canada, Switzerland, Faeroe Islands, Guernsey, Israel, Isle of Man, Jersey, Uruguay and New Zealand

Standard Contract Clauses remain a valid mechanism for non-EEA transfers

- ensure that export obligations are flowed down through subcontractor chains and across to other controllers where required

Joint Controller Agreements

In circumstances where Bridge Mills Galway Language Centre and another organisation determine the purposes for which and the way the personal data is processed, each party will be a controller and will be liable for the entirety of any damage to a data subject, unless they can prove they were not in any way responsible for the event giving rise to the damage.

Bridge Mills Galway Language Centre will ensure that there is a clear attribution of data protection responsibilities between joint controllers and that this information is made available to data subjects through privacy notices or other means so that a controller will be able to show it was in no way responsible for the event giving rise to the damage if this is the case.

[Bridge Mills Galway Language Centre will ensure that contract negotiators are aware of the default position of each controller being liable for the entire damage to a data subject if it is in any way responsible for the event giving rise to the damage and include appropriate cross indemnification.

Processors

Bridge Mills Galway Language Centre is processors for all their Clients who are legal entities. Bridge Mills Galway Language Centre as a processor will ensure: -

- to implement Technical and Organisational Measures (TOM) to safeguard the personal data:
- not to appoint sub-processors without the consent of the controller
- to notify breaches to the controller
- to cooperate directly with the Supervisory Authority
- to assess any intra-group processor agreements and make amendments to include minimum requirements and if necessary to keep liability limited towards the group's main establishment or service companies

Budget

Bridge Mills Galway Language Centre will allocate an annual budget for data protection compliance.

Reporting

Staff are required to report any data breaches to Director@galwaylanguage.com as soon as the data breach is discovered (regardless of the timing of the discovering any day of the week and any time of the day).

The Office Manager will report to all staff any new changes to GDPR and of any cyber threats or attacks as this information becomes known, also providing steps to take to avoid this occurring to [Bridge Mills Galway Language Centre]

The Office Manager will report to management monthly of: -

- Internal incidences reported
- Internal breaches
- GDPR improvements implemented
- Status of current projects on GDPR
- Awareness and training process
- Relevant external breaches reported

- Updates to compliance
- DPIA's

The DPL will assess all data breaches reported in line with the data breach policy and if such a breach requires reporting to the Supervisory Authority, this will be approved by management.

Appendix A Right to lodge a complaint with supervisory authority

Every data subject has the right to lodge a complaint with a supervisory authority if the data subject considers that the processing of personal data relating to him or her infringes this Regulation.

The supervisory authority with which the complaint has been lodged shall inform the complainant on the progress and the outcome of the complaint including the possibility of a judicial remedy.

Appendix B Right to an effective judicial remedy against a supervisory authority

Each Client will have the right to an effective judicial remedy against a legally binding decision of a supervisory authority concerning them.

Each data subject shall have the right to an effective judicial remedy where the supervisory authority does not handle a complaint or does not inform the data subject within three months on the progress or outcome of the complaint lodged.

Appendix C Right to an effective judicial remedy against a controller or processor

Each data subject shall have the right to an effective judicial remedy where he or she considers that his or her rights under this Regulation have been infringed as a result of the processing of his or her personal data in non-compliance with this Regulation.

Proceedings against a Client as a controller or a processor may be brought before the courts of the Member State where the controller or processor has an establishment. Alternatively, such proceedings may be brought before the courts of the Member State where the data subject has his or her habitual residence, unless the controller or processor is a public authority of a Member State acting in the exercise of its public powers.

Appendix D Representation of data subjects

The data subject has the right to mandate a not-for-profit body, organisation or association which has been properly constituted in accordance with the law of a Member State, has statutory objectives which are in the public interest, and is active in the field of the protection of data subjects' rights and freedoms with regard to the protection of their personal data to lodge the complaint on his or her behalf.

Member States may provide that anybody, organisation or association as described in previous paragraph, independently of a data subject's mandate, has the right to lodge, in that Member State, a complaint with the supervisory authority if it considers that the rights of a data subject under this Regulation have been infringed as a result of the processing.

Appendix E Right to compensation and liability

Any person who has suffered material or non-material damage as a result of an infringement of this Regulation has the right to receive compensation from the controller or processor for the damage suffered.

Any controller involved in processing shall be liable for the damage caused by processing which infringes this Regulation. A processor shall be liable for the damage caused by processing only where it has not complied with obligations of this Regulation specifically directed to processors or where it has acted outside or contrary to lawful instructions of the controller.

A controller or processor shall be exempt from liability if it proves that it is not in any way responsible for the event giving rise to the damage.

Where more than one controller or processor, or both a controller and a processor, are involved in the same processing and where they are, responsible for any damage caused by processing, each controller or processor shall be held liable for the entire damage in order to ensure effective compensation of the data subject.

Where a controller or processor has paid full compensation for the damage suffered, that controller or processor shall be entitled to claim back from the other controllers or processors involved in the same processing that part of the compensation corresponding to their part of responsibility for the damage.

Court proceedings for exercising the right to receive compensation shall be brought before the courts.

Appendix F General conditions for imposing administrative fines

Each supervisory authority shall ensure that the imposition of administrative fines pursuant to this in respect of infringements of this Regulation shall in each individual case be effective, proportionate and dissuasive.

Administrative fines shall, depending on the circumstances of each individual case, be imposed. When deciding whether to impose an administrative fine and deciding on the amount of the administrative fine in each individual case due regard shall be given to the following: -

- (a) the nature, gravity and duration of the infringement taking into account the nature scope or purpose of the processing concerned as well as the number of data subjects affected, and the level of damage suffered by them;
- (b) the intentional or negligent character of the infringement
- (c) any action taken by the controller or processor to mitigate the damage suffered by data subjects
- (d) the degree of responsibility of the controller or processor taking into account technical and organisational measures
- (e) any relevant previous infringements by the controller or processor
- (f) the degree of cooperation with the supervisory authority, in order to remedy the infringement and mitigate the possible adverse effects of the infringement
- (g) the categories of personal data affected by the infringement

- (h) the manner in which the infringement became known to the supervisory authority, in particular whether, and if so to what extent, the controller or processor notified the infringement
- (i) where measures referred to in corrective powers have previously been ordered against the controller or processor concerned with regard to the same subject-matter, compliance with those measures;
- (j) adherence to approved codes of conduct or approved certification mechanisms and
- (k) any other aggravating or mitigating factor applicable to the circumstances of the case, such as financial benefits gained, or losses avoided, directly or indirectly, from the infringement.

If a controller or processor intentionally or negligently, for the same or linked processing operations, infringes several provisions of this Regulation, the total amount of the administrative fine shall not exceed the amount specified for the gravest infringement.

Infringements of the following provisions shall, be subject to administrative fines up to 10 000 000 EUR, or in the case of an undertaking, up to 2 % of the total worldwide annual turnover of the preceding financial year, whichever is higher: -

- (a) the obligations of the controller and the processor
- (b) the obligations of the certification body
- (c) the obligations of the monitoring body pursuant

Infringements of the following provisions shall, be subject to administrative fines up to 20 000 000 EUR, or in the case of an undertaking, up to 4 % of the total worldwide annual turnover of the preceding financial year, whichever is higher:

- (a) the basic principles for processing, including conditions for consent
- (b) the data subjects' rights
- (c) the transfers of personal data to a recipient in a third country or an international organisation;
- (d) any obligations pursuant to Member State law
- (e) non-compliance with an order or a temporary or definitive limitation on processing or the suspension of data flows by the supervisory authority or failure to provide access in violation of corrective power.

Non-compliance with an order by the supervisory authority as referred to in corrective action, be subject to administrative fines up to 20,000,000 EUR, or in the case of an undertaking, up to 4 % of the total worldwide annual turnover of the preceding financial year, whichever is higher.