



# Privacy Statement

*Effective date: 01 July 2018*

## **Introduction**

This Privacy Statement sets out how Fórsa (Fórsa/the Union) is committed to protecting and securing your personal data in accordance with Irish and EU data protection legislation, specifically the General Data Protection Regulation (GDPR) (EU)2016/679) and Irish Data Protection Act 2018.

This Statement is designed to ensure you are aware of the information we process about you including your rights in relation to this.

## **Who we are**

The data controller is Fórsa, Nerney's Court, Dublin 1.  
Contact: Data Protection Officer, Fórsa, Nerney's Court, Dublin 1. Email: [dpo@forsa.ie](mailto:dpo@forsa.ie).

## **Purpose of data collection and processing**

As a collective representative organisation, our ability to act on your behalf as an individual member and on the collective interests of all our members, requires that we maintain securely and use from time to time basic personal information provided by our members. By being a member of Fórsa you consent to the storage and use, as appropriate, of the information provided by you in the course of the Union fulfilling its objects set out in Rule 3 of the Union's Rule Book.

These services and actions will include:"

- To process your application form, received either online or by hard copy
- To register you as a Fórsa member
- To process your subscriptions through your payroll or direct debit
- To meet the objects and rules of Fórsa
- To contact you about membership and trade union activities
- To represent you in individual and collective issues
- To provide membership services and benefits
- Attend training
- To comply with our legal obligations
- To ballot you on local and national agreements, by paper or electronic means
- To comply with the Irish Government's Return to Work Safely Protocol – see Appendix 1

- To advise you of actions being taken on your behalf and/or on behalf of the wider membership in line with the Objects of the Union set out in Rule 3
- To encourage you to participate in activities and actions sanctioned by the Union's National Executive and Divisional Executive Committees in pursuit of the Objects set out in Rule 3.

### **Legal basis for processing your data**

We rely on various legal bases for processing your personal data which include:

- Performance of our membership contract with you
- Compliance with our legal obligations
- To support the legitimate interests of the union
- Where you provide consent.

### **How we share your personal data**

We are committed to protecting and securing your personal data and we aim to ensure that all third-party providers are compliant with legislation and do not use your data for their own purposes unless they are controllers in their own right.

We share your personal data with employer's payroll departments when your subscription is paid by deduction at source.

We may share your personal data from time to time with trusted third-party providers where required for business, legal and regulatory purposes.

With your consent we may share your personal data from time to time with professional and legal bodies in the interest of representing you.

With your consent we may share your personal data from time to time with services providers such as, for example; Cornmarket or Lyons Financial Services.

### **Retention and deletion**

We will only retain your personal data for as long as necessary to fulfil the purpose(s) for which it was collected, taking into account all legal and contractual obligations. Where possible we will identify the duration for retention and, where this is not possible, we will explain the criteria for determining retention periods.

Once the relevant retention schedule has concluded we shall safely and securely delete or destroy all personal data.

### **Website**

You are not required to provide us with any personal information (or personal data) in order to use our Site or avail of our services. However, where you choose

to give us personal data, or where your personal data is required in order to satisfy your requirements, we will treat your personal information in accordance with the European and Irish Data Protection legislation.

By simply visiting our site, you do not disclose, nor do we collect, personal data about you. The information collected about your visit is limited to technical data such as:

- The Internet address (or IP address) of the device you used to access this Site;
- Whether you reached the Site using a search engine or if you clicked a link on another website;
- The type of web browser you used;
- The type of device you used to access the Internet.

We use this data for administrative and statistical purposes as well as to help us improve our Site. This technical data does not provide us with the personal data of visitors to our Site.

Most websites use cookies in order to improve the visitor experience by enabling that website to 'remember' you, either for the duration of your visit (using a 'session cookie') or for repeat visits (using a 'persistent cookie'). Cookies may be set by the website you are visiting ('first party cookies') or they may be set by other websites who run content on the page you are viewing ('third party cookies'). Site uses cookies and, by continuing to use this Site we assume you agree to their use.

For further information on Internet browser cookies please see our [Cookie Policy](#).

### **Giving us your Personal Information**

Please note that where you provide us with your personal information (e.g. name, e-mail address, work address, phone and/or other contact information), through a facility provided on this Site or directly to us by e-mail, by post or in person, you consent to us:

- a) Processing and administering your personal data to perform all necessary actions to give effect to your request or instruction; and
- b) Retaining a record of such incoming and outgoing communications (e.g. e-mail). Information in the communications we receive and send will not be disclosed to any third party without the permission of the sender unless otherwise in accordance with the relevant Data Protection legislation.

Please note that by using this Site you are giving us your consent to process your personal data as outlined in this Privacy Statement. Your consent is also provided to any successor or assignee of Fórsa and/or any of its businesses. We inform all persons who submit their personal data to us of these conditions by this Privacy Statement.

Fórsa operates, in compliance with the relevant Data Protection legislation, an “opt-out” policy. This means that we will continue to contact you with news and information of our events and services until we are informed that this communication is no longer required.

If you want to be removed from our direct marketing list and do not wish to receive any further information from us, you can inform us of this by clicking on the link at the bottom of each e-mail communication you receive from us. Once this information is received we will immediately remove you from our direct marketing database.

### **Security of Data**

Fórsa takes its security obligations very seriously in respect of your personal data under data protection legislation in order to prevent unauthorised access to, or alteration, loss or destruction of the personal data in our possession.

Consequently, we have implemented effective organisational and technical measures to guarantee the security and confidentiality of your personal data for all the time in which such data will be under our control.

### **Right of Access**

You have the right access and to be given a copy of your personal data which you may have supplied to us, or which we hold in relation to your membership and correspondence.

To exercise this right, you must make your request in writing, post it and send it to our address as specified below and include with the request, proof of your name and address.

Moreover, in order to facilitate and accelerate our SAR response procedures, you should specify which personal information you intend to access and/or receive.

A request will be dealt with as soon as possible and will take not more than one month to process.

Nevertheless, it may occur that, for the particular complexity or for the high number of SARs that we might encounter, we will require additional time to process your access request.

In such cases we will provide you with the reason for the delay and respond to your request within maximum 3 months.

Please submit your request in writing for the attention of:  
The Data Protection Officer,  
Fórsa,  
Nerney’s Court

Dublin D01 R2C5  
[Click here to Email](#)

## **Your other Rights under GDPR**

### **Right to Rectification**

You also have the right to have inaccurate personal data corrected. If you discover that we hold inaccurate personal data about you, you have a right to instruct us to correct that information.

### **Right to Erasure ('Right to be Forgotten')**

In certain circumstances, you may also request that personal data which you have supplied to us be deleted if we do not have a legitimate reason for retaining the personal data. There will be no charge for processing such a request and we will comply within one month of the receipt.

### **Right to Object**

In addition, you are entitled to exercise your right to object to the processing of your personal data. In this case, unless there are not legitimate and demonstrated reasons that override your interests, rights and freedom, we guarantee to promptly cease the processing of your information.

### **Right to Data Portability**

Whether certain circumstances apply, it is your right to receive back from Fórsa the personal data you have provided to our Organisation.

Moreover, you are also entitled to require having your personal data transferred to another controller.

Such information will be provided to you (or to the other controller indicated by you) in a structured, commonly used and machine-readable format.

### **Response Time**

It is our responsibility to respond to each of the above-mentioned requests within one month from their receipt.

Nevertheless, it may occur that, for the particular complexity or for the high number of such requests that we might experience, we will require additional time to respond you.

In this case we will provide you with the reasons for the delay and reply within maximum 3 months.

### **Costs**

As prescribed by the law, you will not be charged for any of the action taken to guarantee the fulfilment of your data protection rights.

### **Request content**

Any requests must be accompanied by:

1. Proof of your name and address (Up-to-date ID is satisfactory); and

2. A description of the specific personal data you wish rectified, erased or to which you intend to object or to have transferred

### **Failure to provide personal data**

We collect personal data to ensure we can represent our diverse member base in its entirety and to fulfil our responsibilities to our members within the rules of Fórsa. Failure to provide us with the required personal data, on request, may limit our ability to represent you.

We rely on you to ensure the data we hold is accurate and up to date by communicating to us any changes to your personal information. Such updates can be made by emailing [data3@forsa.ie](mailto:data3@forsa.ie).

### **Profiling and automated decision making**

We do not use profiling or automated decision making on any of the personal data we hold.

Transmission to countries outside the European Economic Area (EEA)

We may transfer your personal data to service providers outside the EEA. In such cases, we will ensure the data is carefully managed in accordance with applicable data protection law.

### **How do you exercise your rights?**

If you have any questions or concerns about how we treat and use your personal data, or would like to exercise any of your rights as outlined above, please contact our Data Protection Officer at [dpo@forsa.ie](mailto:dpo@forsa.ie) or by writing to us at:

Fórsa  
Data Protection Officer  
Nerney's Court  
Dublin 1  
D01 R2C5

Fórsa will endeavour to address any data related concerns or complaints that you may have, however, if you would like to direct your complaint/concerns to the Data Protection Commission the contact details are:

Telephone: +353 57 8684800  
Lo Call Number: 1890 252 868 4757  
[Click here to Email](#)

Postal address: Data Protection Commission, Canal House, Station Road, Portarlington, R32 AP23, County Laois.

### **Changes to our Privacy Statement**

We may change this Privacy Statement at any time. Any such changes can be viewed on our website at [www.forsa.ie/privacystatement](http://www.forsa.ie/privacystatement).

### **Terms and Conditions**

Access to this Site and the use of information contained on it is governed by the terms and conditions set out below. As these terms and conditions are for the

protection of both you and Fórsa we advise that you please take the time to read them carefully.

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You will ensure that your use of this Site complies with all applicable laws and regulations, including but not limited to those principles of law which protect against compromise of copyrights, trade secrets, proprietary information, individual privacy rights and other intellectual property rights, liable or defamation of character, invasion of privacy or tortious interference.

No data transmission over the Internet can be guaranteed as totally secure. Whilst we strive to protect such information we do not warrant and cannot ensure the security of any information which you transmit to us. Accordingly, any information which you transmit to us is transmitted at your own risk. Nevertheless, once we receive your transmission, we will take reasonable steps to preserve the security of such information.

You agree not to post or publish any offensive, defamatory or unlawful material that could encourage or constitute a criminal offence, civil liability or violation of any law.

Fórsa reserves the right to monitor or review the contents of the Site but are not obliged to do so and assume no liability or responsibility for the contents therein. Fórsa reserves the right to remove any materials posted to the Site at its absolute discretion.

Fórsa may, at its own discretion or where required to do so by law, disclose your identity to relevant parties to aid an investigation.

You warrant that the information you enter on this Site is accurate and you indemnify us in respect of any damage or legal costs arising out of any action taken against us in respect of the material posted by you.

### **Glossary of Technical Terms used**

- IP address: The identifying details for your computer (or your internet company's computer), expressed in "internet protocol" code (for example 192.168.55.34). Every computer connected to the web has a unique IP address, although the address may not be the same every time a connection is made.
- Personal data: means information about you which can identify you, either directly or indirectly, and which is within the possession of FORSA (e.g. your name and address) in either manual (paper) or electronic format.
- Web browser: The piece of software you use to read web pages. Examples include; Microsoft Internet Explorer, Google Chrome, Firefox and Safari.



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## **Return to Work Protocol – COVID 19**

### **Fair Processing Notice**

Fórsa has prepared a specific Return to Work Protocol for its staff, contractors and any visitors to the union's seven premises in line with the Irish Governments *Return to Work Protocols – COVID-19 Specific National protocol for Employers and Workers* published in May 2020.

The Protocol introduces new procedures and collects personal data heretofore not gathered by Fórsa.

Set out below are the ways in which your personal data will be processed in line with Fórsa's return to work protocol.

1. Require staff to complete a return to work questionnaire three days in advance of returning to work - in line with the Irish Governments *Return to work protocol – COVID-19 Specific National protocol for Employers and Workers* published in May 2020. This data will be kept for 30 days.
2. Fórsa staff may, if this wish, outline to management any underlying medical condition which are relevant to their return to work. This data will be kept for one year.
3. Fórsa staff will be required to keep a weekly tracker log, which outlines anyone they came into close contact with in the course of their working day. Close contact, as defined by the National Public Health Emergency Team (NPHET) is less than two meters apart for a period of more than 15 minutes. This data will be kept for 30 days.
4. If a member of Fórsa staff presents as feeling unwell while being on a Fórsa premises they will be isolated in a dedicated room and their temperature will be taken. Their GP may be informed. This data will be kept for 30 days.
5. Fórsa staff are obliged to inform their employer immediately if they suspect they may have COVID-19.
6. Currently Fórsa staff and approved contractors have to use an individual security swipe to gain entry into their designated Fórsa workplace. This group will now be required to securely swipe out when leaving their designated Fórsa workplace. If they fail to swipe out, they won't gain entry to the building on the next occasion they try to access the building. This data will be kept for 30 days.

7. Bidvert Noonan's have access to the security swipe system, as has been the case for many years. They only have access while in the office manager's office, they do not have remote access to the system.
8. Require any Fórsa member or visitor attending planned meetings in any of the union premises must fill in a form regarding COVID-19 and any recent travel.
9. A visitors log will be maintained at reception. This is to enable contact tracing if an individual develops COVID-19. This data will be kept for 30 days.
10. Only appropriate senior Fórsa management will have access to the data collected.

The provisions of Fórsa's Return to Work Protocol will be under constant review, and may be relaxed, or strengthened, in light of ongoing public health and government advice.

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You can download a copy of this privacy statement here: [Privacy Statement](#)  
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