



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

Privacy Notice: General Data Protection Regulation

Data Controller Name: Northern Ireland Human Rights Commission

Address: Temple Court, 39 North Street, Belfast, Northern Ireland,
BT1 1NA

Telephone: +44 (0) 28 9024 3987

Email: info@nihrc.org

Data Protection Officer Name: Graham Shields, Commissioner

Telephone: +44 (0) 28 9024 3987

Email: info@nihrc.org

Purpose of data purpose of data processing and legal basis for processing

Communication purposes

The Commission retains contact details for individuals (such as email addresses and telephone numbers) with consent for the purpose of a public task to fulfil its statutory function to promote awareness of human rights through education, training and research under section 69(6) of the Northern Ireland Act 1998.

Legal function

Where a person seeks assistance from the Commission in relation to proceedings involving law or practice and the protection of human rights which a person in Northern Ireland has commenced, or wishes to commence; or proceedings in the course of which such a person relies, or wishes to rely, on such law or practice the Commission, under section 70(3) of the Northern Ireland Act 1998 Act may (a) provide, or arrange for the provision of, legal advice; (b) arrange for the provision of legal representation; (c) provide any other assistance which it thinks appropriate.

To assist in fulfilling this public task the Commission retains and processes personal data received through legal enquiries (i.e. received by telephone, through its legal clinic, through receipt of case file). This work is often conducted in private and the information obtained may be confidential. Assistance provided by the Commission may be subject to professional privilege. Details may be shared regarding legal casework by the Commission, including an application for assistance, with third parties (i.e. an organisation with which the Commission has a Memorandum of Understanding, the courts, legal counsel). Sharing of personal information with third parties will normally be done with consent, unless the Commission is otherwise required to do so (i.e. legislation, contract, public task, vital interests.)

Investigations

The Commission for the purpose of an investigation under section 69 of the Northern Ireland Act 1998 Act may, by notice in writing require a person to provide information, to produce documents in his possession, or to give oral evidence.

The Commission may require a person to provide information in public and publish the details of the information, documents, or evidence in order to fulfil this public task.

By virtue of the 1998 Act section 8A, the Commission shall publish a report of its findings on an investigation. Where the Commission receives information or documents from or relating to an intelligence service in response to a notice under section 69A(1) of the 1998 Act, the Commission shall store and use the information or documents in accordance with any arrangements specified by the Secretary of State.

Contracts

The Commission retains contact and bank details for its contractors as required by law and may share this information with its sponsor department, the Northern Ireland Office, and the National Audit Office in accordance with rights of access requirements.

Personnel

The Commission processes personal information of its employees in accordance with the law for the proper carrying out of its functions as an employer.

In relation to applicants for employment the Commission will use the personal information they supply to process the application and to monitor recruitment statistics. If as part of this process, the Commission intends to disclose information to a third party such as taking up a reference or obtaining a disclosure certificate from Access NI, the Commission will not do so without first informing the applicants beforehand unless the disclosure is required by law. Personal information about unsuccessful applicants will be destroyed.

The Commission keeps a personnel file in respect of each employee which will be used for purposes directly relevant to that person's employment.

Transfer of personal data to other countries

Sometimes it may be necessary for the Commission to transfer personal information overseas (i.e. the European Court of Human Rights or the United Nations). Any transfers made will be in full compliance with all aspects of the General Data Protection Regulation.

How long will personal data be retained

The Commission will only retain personal data for as long as necessary and in line with our Retention and Disposal Schedule.

Communication purposes

Personal information held by the Commission to fulfil its statutory function to promote awareness of human rights through education, training and research is retained with the consent of individuals and is reviewed once a year. The Commission contacts everyone for whom it retains information for this purpose and asks if they wish to remain on the Commission's contacts database. If, at any time, an individual wishes to withdraw their consent without detriment they can do so by emailing or by writing to the Commission.

Legal function

Personal information held by the Commission to fulfil its legal function is retained as follows:

Litigation files (i.e. where court proceedings are issued) are retained for 6 years following closure to ensure legal and/or financial obligations are met, unless the Commission is otherwise required to do so (i.e. legislation, contract, public task, vital interests).

Applications for assistance by an individual are retained for 6 years (particularly in those cases where the Commission decides to hold a watching brief on litigation), unless the Commission is otherwise required to do so (i.e. legislation, contract, public task, vital interests).

Enquiries (all other contacts with the Commission where an individual is provided with information or signposting) are retained for 1 year following closure, unless the Commission is otherwise required to do so (i.e. legislation, contract, public task, vital interests).

Investigations

Personal information held by the Commission for the purpose of an investigation is retained for one year following the publication a report of its findings, unless the Commission is otherwise required to do so (i.e. legislation, contract, public task, vital interests.).

Contracts

The Commission retains contact details for its contractors and other information relevant for the duration of a contract for six years plus a further year following the completion of the contract as required by the statutory retention period.

Personnel

The Commission retains personnel records (including disciplinary records) for a period of six years after employment ceases as a recommended (non-statutory) retention period.

The retention of other relevant personnel records is included in the Commission's data retention and disposal policy, which can be found [here](#).

Special categories of personal data

The Commission retains personal information as an employer required by legislation for the following special categories:

- race;
- ethnicity;
- community background;
- age;
- gender;
- trade union membership;
- disability;
- health;
- marital status;
- number of dependents and children;
- sexual orientation.

Organisations that we share information with

The Commission share information with the following organisations

Criminal Justice Inspection Northern Ireland;
Community Relations Council;
Commission for Victims and Survivors for Northern Ireland;
Commissioner for Older People for Northern Ireland;
Equality Commission Northern Ireland;
Regulation and Quality Improvement Authority;
National Audit Office;
Northern Ireland Commissioner for Children and Young People;
Northern Ireland Office;
Northern Ireland Public Services Ombudsman;
Police Ombudsman for Northern Ireland;
Prisoner Ombudsman for Northern Ireland;

Sharing of personal information with third parties will normally be done with consent, unless the Commission is otherwise required to do so (i.e. legislation, contract, public task, vital interests.)

The Commission may share your data with criminal justice and relevant enforcement agencies for the prevention or detection of crime.

What rights do I have?

The General Data Protection Regulation provides the following rights for individuals <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>:

1. You have the right to obtain confirmation that your data is being processed, and access to your personal data;
2. You are entitled to have personal data rectified if it is inaccurate or incomplete;
3. You have a right to have personal data erased and to prevent processing, in specific circumstances;
4. You have the right to 'block' or suppress processing of personal data, in specific circumstances;
5. You have the right to data portability, in specific circumstances
6. You have the right to object to the processing, in specific circumstances;
7. You have rights in relation to automated decision making and profiling.

How do I complain if I am not happy?

If you are unhappy with how any aspect of this privacy notice, or how your personal information is being processed, please contact the *Commission's Data Protection Officer at:*

Northern Ireland Human Rights Commission
Temple Court
39 North Street
Belfast
BT1 1NA

Tel: +44 (0) 28 9024 3987

Email: info@nihrc.org

<http://www.nihrc.org/>

If you are still not happy, you have the right to lodge a complaint with the Information Commissioner's Office:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

Email: casework@ico.org.uk

<https://ico.org.uk/global/contact-us/>

www.nihrc.org | info@nihrc.org | +44 (0)28 9024 3987

Temple Court, 39 North Street, Belfast, BT1NA

