



## **PRIVACY NOTICE REGARDING CHILD PROTECTION AND SAFEGUARDING DATA**

**Who we are:** We are the Irish Province of the Society of the Missionaries of the Sacred Heart (“MSC”) with our address at MSC Provincial Office, 65 Terenure Road West, Terenure, Dublin 6W P295, Ireland. This Privacy Notice provides important information on how we use the personal data we collect and process as part of our child protection and safeguarding work.

**Data processing:** The Irish Province of the MSC is the **data controller**

**Child Safeguarding Structure within the Irish Province of the MSC:** MSC Safeguarding Team is staffed by personnel with relevant expertise in child safeguarding. These MSC personnel collect, process, retain, store, and share personal data in the course of their child protection and safeguarding work, and report to and communicate with the MSC leadership team on appropriate matters.

**The types of personal data we process:** MSC processes ‘**personal data**’ defined as information relating to an identified or identifiable natural person (‘**data subject**’). Examples of personal data includes a person’s name, telephone number, email address or any other personal data that you provide to us or that we create in the course of our safeguarding work.

**Purpose:** When these datasets are processed by MSC it is for the following purposes:

- (a) Mandatory reporting
- (b) Case management
- (c) Support victims and survivors of abuse
- (d) To maintain safe environments for children and vulnerable adults in our ministries
- (e) Care and management of respondents
- (f) Administration of justice, litigation, public inquiries, statutory redress forums, etc
- (g) Archives

When personal data are processed by the MSC Safeguarding Team it is based on the following legal bases:

- (a) Legal obligation: MSC Safeguarding Team processes personal data because there is a legal obligation requiring us to do so.
- (b) Vital interests: if processing is necessary to protect the vital interests of the data subject or of another person.
- (c) Public interest and substantial public interest.
- (d) Legitimate interests.
- (e) Administration of justice and legal claims
- (f) Explicit consent.

**Article 10 – criminal offences data:** MSC Safeguarding team processes data relating to criminal offences for safeguarding purposes, including:

- (a) Vetting.
- (b) Management of respondents
- (c) Administration of justice and legal proceedings
- (d) Sharing and disclosing your personal data: While personal data is treated as confidential, it is shared and disclosed in appropriate circumstances. For example, MSC share safeguarding data when required for compliance with a legal obligation (eg. mandatory reporting to civil authorities), where necessary to manage risk and protect others, and where necessary for the administration of justice and legal proceedings. MSC shares personal data internally within the Provincial Leadership Team and other MSC Safeguarding personnel and advisory committee. MSC will disclose personal data with third parties including:
  - An Garda Síochána and other law enforcement bodies;
  - TUSLA and other child protection and social work authorities;
  - National Vetting Bureau;
  - Courts, public inquiries, and/or statutory redress forums established by law;
  - Solicitors, barristers, MSC’s insurers, and other parties to litigation where relevant to the administration of justice;
  - Medical practitioners (including psychologists, psychiatrists, etc);
  - Other external service providers (eg. counselling services, and other support services): with your consent, we will share your personal data with third parties who provide support services for survivors of abuse (eg. Towards Healing, or other counselling services).

**Data processors:** MSC uses data processors for some safeguarding activities.

### **For how long do we keep your personal data?**

Personal data are retained for as long as they are required for the discharge of the functions as outlined above, and are then retained for verification, child protection case-file audit, and litigation purposes.

**Vetting documents:** they are routinely deleted, such as one year after they are received, unless we have a lawful purpose for retaining the information.

**Safeguarding and child protection case-files, and related records:** Under Irish law there is no legislative retention period for child protection records or records relating to abuse of vulnerable persons. MSC’s retention periods are proportionate in the achievement of the following important objectives of general public interest:

- [a] The public interest in protecting children.
- [b] The public interest in meeting victims’ needs.

**Storage of your personal data:** We are committed to ensuring information is stored securely. In order to prevent unauthorised access or disclosure, suitable physical, organisational, electronic and managerial procedures to safeguard and secure information have been put in place.

**Your rights:** You have the following rights, in certain circumstances and subject to certain restrictions, in relation to your personal data:

- To be informed (transparency);

- To request a copy of your safeguarding data held by us;
- To request that we correct any inaccuracies in the data held;
- To have the data erased in certain circumstances;
- To restrict processing in certain circumstances;
- To data portability – The right to receive your personal data, which you have provided to us, in a structured, commonly used and readable format or to request us to transmit that data to another controller, in certain circumstances;
- To object to the processing of personal data in certain circumstances.

In addition to these rights, you also have the right to lodge a complaint with the Irish Data Protection Commission:

Data Protection Commission  
21 Fitzwilliam Square South  
Dublin 2  
D02 RD28  
Ireland

<https://www.dataprotection.ie/en/contact/how-contact-us>

**Changes to this Privacy Notice:** MSC reserve the right to make changes to this Privacy Notice at any time.

**Contact details:** If you have any questions, queries or complaints regarding this Privacy Notice please contact:

MSC Designated Liaison Person  
65 Terenure Road West  
Terenure  
Dublin 6W  
D6W P295

‘Phone: 087 381 9515

The above is an abridged version of the MSC Privacy Notice which can be obtained from the above address on application in writing.

Further information on data protection is available on the website of the Data Protection Commission: [www.dataprotection.ie](http://www.dataprotection.ie)

**DRAFT: NOVEMBER 2021**

**APPROVED: DECEMBER 2021**

**REVIEW: 2024**