

Equality Commission for Northern Ireland

Legal Services Privacy Notice

The Equality Commission for Northern Ireland (the Commission) is fully committed to protecting the rights and privacy of its clients and other individuals in accordance with the General Data Protection Regulation and the Data Protection Act 2018.

The Commission has developed a Data Protection Policy to ensure that we fully comply with the rules which protect your personal data. You can view this on our website or request a written copy.

If you require this notice in an alternative format please contact in the first instance Helen McGowan at hmcgowan@equalityni.org

Further information can also be obtained from the Commission's Data Protection Officer, Eoin O'Neill, whose contact details can be found below.

Data Controller: Equality Commission for Northern Ireland

The Commission is registered with the Information Commissioner's Office as a **data controller** (Registration number Z5830438).

Data Protection Officer.

Eoin O'Neill
Data Protection Officer &
Solicitor to the Equality Commission.

Direct line: 028 90 890859
Email: honeill@equalityni.org

Your Personal Data

Personal data is information that identifies you as an individual. The General Data Protection Regulation and the Data Protection Act 2018 governs how we process your personal data, and gives data subjects a range of rights.

What personal data do we hold about you?

In the course of delivering its obligations under the legislation, including dealing with legal enquiries, processing applications for assistance and conducting legal casework, the Commission is required to process personal data relating to an individual's legal enquiry or their complaint and that obtained from those against whom a complaint has been made.

The precise content of this will be dependent on what is necessary to ground and process a complaint. However, commonly, it could include contact details, details of your complaint, pay and pension details, tax details, information about your employment history, educational background and health information.

This information is held securely on our computerised legal databases and/or in hard copy form.

Where did we get your data from?

In most cases the data will be provided by complainants and potential complainants themselves, their representatives or third parties, or from those against whom a complaint has been made, supplemented by information that is generated during the course of legal processes.

How we will use it?

We use personal data for the following purposes:-

- To deliver our statutory functions under Northern Ireland's equality legal framework, with particular reference to the elimination of unlawful discrimination, including:
 - help for aggrieved persons in obtaining information;
 - the provision of advice in relation to prospective proceedings;
 - considering applications for assistance;
 - the provision of assistance; and
 - in the establishment, exercise and defence of legal claims.

We are legally entitled to process your personal data because:-

The processing of your data is necessary:

- for the Commission's compliance with its legal obligations and statutory functions; and
- for the performance of any contractual relationship entered into in relation to the provision of legal assistance.

These are lawful processing conditions under the legislation.

The processing of sensitive data, such as information about any health condition may be necessary for carrying out obligations under the legislation and in relation to the establishment and exercise of legal claims which are lawful processing conditions.

Consent is also a lawful processing condition. Should the Commission need to obtain consent for information not covered by one of the other lawful conditions it will seek such consent.

Sharing Your Personal Data

Personal data will be treated lawfully and with respect and will be shared only with those organisations which have a legitimate interest for processing.

The Commission will share personal data with staff, Legal Funding Commissioners, legal representatives appointed to advise on and progress legal cases and with experts whose advices and opinions are necessary for actual or prospective legal proceedings.

On occasion the Commission may also need to share personal data for the purpose of the necessary maintenance of computer systems and audit requirements.

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

If the Commission wishes to share your personal data with any other third party it will seek and obtain your consent before doing so.

Do you transfer my data to other countries?

The Commission does not transfer personal data overseas. Should that be needed, any transfers would be made in full compliance with any legal requirements.

How long will we keep your Personal Information?

We will retain personal data for no longer than is required to fulfil our statutory or contractual obligations. The periods for retention of particular records can be found in the Information Retention and Disposal Policy, which can be found on the website. The retention periods in brief are:

- Files on cases assisted by the Commission will be retained for 5 years;

- Files of unassisted cases will be retained for a period of 2 years;
- Records of general enquiries will be retained for 1 year.

New purposes for processing

If the Commission wishes to use your personal data for a purpose not covered by this Privacy Notice, it will provide you with a new notice explaining this new use prior to commencing the processing, setting out the relevant purposes and processing conditions. If necessary, your prior consent will be sought.

Your Rights

You have the following rights with respect to your personal data:

- to obtain confirmation that your data is being processed, and access to the personal data which the Commission holds about you;
- to request that the Commission corrects any personal data found to be inaccurate or incomplete;
- where there is a dispute about the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- to request your personal data is erased where it is no longer necessary for the Commission to retain it;
- if your consent is being relied upon, to withdraw your consent to the processing at any time;
- to request that the Commission provides you with your personal data; and
- in some circumstances, and where possible, to transmit that data directly to another data controller.

Contact Details

If you would like further information about this notice or any aspect of our Data Protection procedures, or to exercise any of the above rights, in the first instance you can contact the Commission's Data Protection Officer - see contact details above.

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

The Information Commissioner's Office – Northern Ireland
3rd Floor
14 Cromac Place
Belfast
BT7 2JB
Telephone: 028 9027 8757 or 0303 123 11
Email: ni@ico.org.uk

Changes to this privacy notice

This privacy notice will be reviewed and updated as necessary to ensure compliance with any amendments to the Data Protection Act 2018 and to reflect best practice and any changes to the contact details. In any event it will be reviewed at least every 3 years.