



# SOCIETY OF AFRICAN MISSIONS

## PRIVACY POLICY / NOTICE

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This policy was approved by the Trustees: 9<sup>th</sup> April 2024

This document will be reviewed as often as is required by Law/Regulation, and will be amended/updated as required.

**Disclaimer:** *This document does not represent legal advice or purport to be a legal interpretation of legislation or regulation. Whilst every effort is made to ensure that information is accurate, responsibility cannot be accepted for any liability incurred or loss suffered as a consequence of relying on material published herein. Appropriate professional advice should be taken before acting or refraining to act on the basis of this document.*

## 1. Who we are

The Irish Province of the Society of African Missions (“SMA”) is a unit of an international Catholic Missionary Society who serve the people of Africa and people of African origin around the world.

The SMA functions under the guidance of the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life and the Dicastery for the Evangelization of Peoples, Vatican City, Europe.

We are a registered charity – **RCN 20006211** – REGULATED BY THE Irish Charities Regulator.

The SMA is structured into various units as follows:

- I. Provinces;
- II. Districts;
- III. Delegations.

The headquarters of the Irish Province is at African Missions, Blackrock Road, Cork, T12 TD54.

The SMA is a controller of certain personal data in accordance with the General Data Protection Regulations 2016 (“**GDPR**”), implemented on 25 May 2018.

Where we provide links to websites of other organisations, this privacy notice does not cover how those other organisations process personal information.

## 2. What information do we collect on SMA members, employees and volunteers?

The personal information which the SMA may collect about SMA members, employees and volunteers, including the following:

- a) Name and contact details;
- b) Gender, age, date of birth, nationality;
- c) Education, previous employment references;
- d) PPS number

We may also collect and process the following Special Category Personal data:

- e) Data revealing religious belief,
- f) Data concerning health,
- g) Garda vetting and child safeguarding data.

## 3. What information do we collect on our donors and supporters?

- a) Name and contact details;
- b) Amount of their donations (received through the post, online, given through a third-party or handed in to our offices).
- c) Statistical and analytics information which we collect through our supporters’ use of our website such as IP addresses, dates and times of site visits, type of browser and cookie information. Refer to our Cookie Policy.

## 4. How we collect the data we hold about you

The SMA collects the data we hold about you in the following ways:

**4.1 Benefactors and Parishioners:**

- a) If you use the “Contact us” facility on our website
- b) If you are part of the Parish team, the pastoral care network, or are a parish contact
- c) If you make a donation to us
- d) If you submit a prayer request/special intention request
- e) If you contact the SMA by phone, email or letter and providing data to us

**4.2 Employees and Volunteers**

- a) If you complete forms for the SMA
- b) If you hold face to face meetings with us in person or online through Zoom, Teams, etc.
- c) If you attend or register to attend an event with the SMA
- d) If you apply for a job or volunteer with the SMA

**4.3 When you use the Garda/Access NI vetting service. SMA members (including former members)**

- a) Prior to and during the formation process, information is provided by the applicant, from references (e.g. Parish Priest, School Principal), by formation staff, by the director of students and from third parties including psychotherapists / counsellors / psychiatrists
- b) If you reside in our Nursing Unit, data are provided by doctors, nursing and clinical staff.

**5. Why we process your data and the lawful basis for processing your data**

We have a lawful basis for all data processing. The lawful basis will vary depending on the circumstances and the type of data involved. One lawful basis is where you have given your Consent to us processing your data. This consent can be withdrawn by contacting us and updating your Consent preferences. Please note that if you update your Consent preferences (e.g. if you withdraw your consent sometime), we reserve the right to retain your contact details on our suppression list to ensure we do not inadvertently contact you as part of any further charitable fundraising campaigns or appeals.

Other legal basis relied upon include:

- a) Our legitimate interests;
- b) The performance of a contract to which you are a party;
- c) Compliance with a legal obligation to which the SMA is subject;
- d) In order to protect your, or another person’s, vital interests (e.g. to protect your life);
- e) The performance of a task carried out in the public interest

We rely on separate lawful bases for processing special category data including:

- a) You have given us your explicit consent to processing the information;
- b) Processing is necessary for the purposes of our or your obligations and rights in employment, social security and social protection law;
- c) Processing is necessary to protect your or another person’s vital interests (e.g. to protect your life);

- d) Processing is carried out in the course of our legitimate activities where the processing relates solely to our members or to former members: this personal data is not disclosed outside the SMA without your consent;
- e) Processing relates to personal data which you have made public;
- f) Processing is necessary for the establishment, exercise or defence of legal claims;
- g) Processing is necessary for reasons of substantial public interest;
- h) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

## 6. What we do with the information we have

We use your information for a wide range of activities including:

- a) To fundraise and promote the interests of the SMA
- b) To administer records held by us on current SMA members, former SMA members, an SMA priest/brother who has left the SMA, an SMA student who became a member by oath but then left, and/or an applicant who did not become a SMA student
- c) To maintain accounts and records
- d) To provide pastoral and spiritual care
- e) To respond to queries and complaints
- f) To communicate with you in relation to news about the SMA
- g) To process application forms
- h) To process donations and to administer applications under the Charitable Donations Scheme
- i) To administer, support, improve and develop the administration of SMA work
- j) To facilitate auditing, statistical, archiving or historical research purposes
- k) To comply with legal obligations
- l) To ensure safety and security (e.g. CCTV images)
- m) To assess the suitability of job applications
- n) To obtain and retain a Garda/Access NI vetting disclosure, where required
- o) To process child/vulnerable person safeguarding complaints in accordance with legal requirements
- p) To manage volunteers and employees of the SMA
- q) To measure and analyse information on visits to the website via cookies. Such information is not used to identify anyone personally

The SMA does not use automatic decision-making software and does not engage in profiling.

On its website [www.sma.ie](http://www.sma.ie) and its social media platforms the SMA may use some images created by AI text to image technology. These are representative only and do not depict any specific person, item or event.

## 7. Who we share your data with

We share your personal data with third parties. Where it is consent-based processing, we will do so only with your consent. Where it is not consent-based processing, we will do so where a legal basis exists permitting us or requiring us to share personal data with third parties. For example, we share personal data with the following:

- a) Entities providing services to the SMA including our professional advisors e.g. recruitment companies, payroll providers, IT consultants, accountants and solicitors

- b) Our insurance company, insurance brokers, loss adjusters, etc.
- c) The Revenue Commissioners in relation to applications under the Charitable Donation Scheme
- d) The Charities Regulator in relation to matters pertaining to our charitable status
- e) An Garda Síochána in relation to the prevention, detection, investigation or prosecution of offences
  - Gardaí will be asked to produce a letter, per Section 41(b) Data Protection Act 2018 confirming that An Garda Síochána require a copy of the relevant data for the purposes of detecting, investigating and prosecuting offences. That letter shall be an An Garda Síochána letter-headed notepaper and signed by a member of the Garda Síochána not below the rank of chief superintendent. The letter shall be retained for audit and verification purposes.
  - In exceptional situations there could be extreme urgency to the Gardaí's request. For example, if the Gardaí explain that there is extreme urgency to the situation (i.e. danger to other members of the public, hot pursuit, a child protection issue etc.) and that there is insufficient time to procure a section 41(b) letter (or that waiting to procure a section 41(b) letter would put the life or safety of others at risk), then SMA will release the requested data to the Gardaí on the basis of an undertaking that the section 41(b) letter will follow as soon as possible. The SMA maintains a log detailing all the particulars of any request from An Garda Síochána.
- f) To other regulators and regulatory bodies (e.g. Health and Safety Authority, Data Protection Commission, etc.)
- g) Civil law courts in Ireland and in other jurisdictions, judicial bodies including statutory inquiries (e.g. commissions of inquiry), and workplace for a (e.g. Workplace Relations Commission) where necessary to take or defend litigation or enforce legal rights.
- h) Canon lawyers, canon law advisors and investigators, other canon law bodies (e.g. Dicastery for the Evangelisation of Peoples, the SMA Generlate in Rome etc.).
- i) Other Church bodies, including other institutes, dioceses, and bodies including the National Board of Safeguarding Children in the catholic Church
- j) Data processors (e.g. CCTV software provider, other cloud-based providers)
- k) Other Government departments or statutory agencies as required by law
- l) Social media companies where you have given us your consent to post photos or videos

## 8. How we store your information

We store your data in both manual and electronic format. We use the following technical and organisational measures to protect your personal data.

- a) We store your personal data on our office computers, access to which is restricted to authorised personnel only
- b) We train all staff and personnel on appropriate GDPR and IT security measures
- c) We store manual files in locked filing cabinets in our offices
- d) Our networks and systems are encrypted to appropriate standards. We have a data processing agreement in place with our IT support providers, and with all providers of software and cloud-based systems
- e) Our computers are encrypted to appropriate standards and password protected with secure passwords

- f) All documents containing personal data are securely shredded before being discarded. We have a data processing agreement in place with our shredding company.

While we use all reasonable endeavours to protect your personal data, the transmission of information via the internet is not completely secure. For this reason, we cannot guarantee the security or integrity of any personal data which is transferred from you or to you via the internet.

### **9. Transfer of your personal data outside the European Economic Area (“EEA”)**

It is possible that we might need to transfer your data outside the EEA. For example, SMA Dromantine which is based in Newry, Northern Ireland, and after the Brexit transition date this will be outside the EU GDPR framework. Furthermore, some SMA units and ministries are located outside the EU. It is therefore likely that in some limited situations, (e.g. going on Mission placement, on Sabbatical or undertaking further education abroad, or sending data to Vatican), data will be transferred outside the EU. In the first instance, we will check to ascertain whether the recipient country has an adequacy decision (an EU standard confirming the recipient country has an equivalent level of protection to the applicable standards in the EEA). If the recipient country does not have an adequacy decision, we will either obtain your consent before transferring your personal data to such a country or otherwise transfer such data in appropriate safeguards pursuant to Article 46 GDPR.

### **10. Your data protection rights**

You have a number of rights under the GDPR and other relevant legislation. These include the following:

- a) Information – you have the right to be informed about the way we process your data.
- b) Access – you have the right to be given a copy of your personal data on request (provided it would not adversely affect the rights and freedoms of others)
- c) Rectification – You have the right to request rectification of any inaccurate<sup>1</sup> data without delay
- d) Restriction - where the accuracy of the personal data is contested, you can ask for a restriction to be placed on the processing for a period enabling the controller to verify the accuracy of the personal data
- e) Withdrawal – where we rely on your consent to process your personal data, you can withdraw your consent at any time.
- f) Objection – if we process your data based on our legitimate interests or based on a task performed in the public interest, you have the right to object to the processing of your personal data
- g) Erasure – in certain limited situations (e.g. where it is consent based processing and you withdraw your consent), you have the right to request us to delete your personal data: this is known as the “right to be forgotten”
- h) Data portability – where we process based on your consent or on contract, you have the right to request us to provide you or a third party with a copy of your personal data in a structured, commonly used machine-readable format

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<sup>1</sup> Inaccurate meaning they are incorrect or misleading as to a matter of fact, or incomplete in a material manner.

- i) Complaint – you have the right to complain to the DPC, see (13) below.

The above rights are subject to certain exceptions and may be restricted in certain circumstances.

Rights may only be exercised by the individual whose information is being held by the SMA or with that individual's express permission. We may request proof of identity for verification purposes before you can exercise any of these rights.

### **11. Cookies**

Our website uses cookies to help you in your interactions and to enhance your user experience. Cookies are small files placed on your computer's hard drive, or in your browser memory, when you visit our website. You can access our Cookies Policy on our website: [www.sma.ie](http://www.sma.ie)

We use Google Analytics to track user engagement and usage on our website. For further information, see Google's Privacy Policy at: [policies.google.com/privacy](https://policies.google.com/privacy)

We also use privacy preference. We use a tracking cookie, which is added to your computer, to remember your cookie preferences, i.e. if you have allowed or disallowed them.

### **12. Further information**

Further information relating to your data privacy rights is available at [www.dataprotection.ie](http://www.dataprotection.ie)

You may contact our office at:

SMA Data Protection, Society of African Missions, Blackrock Road, Cork T12 TD54

Phone: 021-4616389, Email: [compliance@sma.ie](mailto:compliance@sma.ie)

Further information relating to your data privacy rights is available at: [www.dataprotection.ie](http://www.dataprotection.ie)

### **13. How to raise an issue or make a complaint**

If you are unhappy about how we have processed your personal data, please contact us and we will do our best to resolve your complaint. Alternatively, you can contact the Data Protection Commission:

Data Protection Commission Office

21 Fitzwilliam Square South

Dublin 2, D02 RD28

Telephone +353 (0) 761 104800, +353 (0) 57 868 4800 [www.dataprotection.ie](http://www.dataprotection.ie)

## 14. Version History

Version	Date approved by the Trustees	Description: New/Review/Amendments	Owned by	Created / Modified by
1.1	9 <sup>th</sup> April 2024	<p>Review: Amendments made:</p> <p>Reformatted document to bring in line with the other SMA Policies and input Version History.</p> <p><b>S.6 What we do with the data we have:</b> Input last paragraph re. A1 text to image technology.</p> <p><b>S.10 (e) Your data protection rights:</b> input “at any time”.</p> <p><b>S.12 Further Information:</b> Deleted contacted details from <a href="mailto:dipsafeguarding@sma.ie">dipsafeguarding@sma.ie</a> and replaced with phone number and email address to <a href="mailto:compliance@sma.ie">compliance@sma.ie</a></p>	Trustees, Staff, Volunteers	Gerry Forde (Justice Officer) and Compliance Officer
1.0	July 2021	New Policy	Trustees, Staff, Volunteers and Data Protection Administrator	Not Noted

**END**