

# The Institute of Chartered Accountants in Ireland

## Draft Data Protection Policy

January 2009

[Our Privacy Statement is available online](#)

### **Introduction**

At the Institute of Chartered Accountants in Ireland ("ICAI") your privacy and data protection rights are very important to us.

**Data Protection** is the safeguarding of the privacy rights of living individuals in relation to the processing of personal data, in both paper and electronic format. The Data Protection Acts 1988 and 2003 (the "Data Protection Acts") lay down strict rules about the way in which personal data and sensitive personal data are collected, accessed, used and disclosed. The Data Protection Acts also permit individuals to access their personal data on request, and confer on individuals the right to have their personal data amended if found to be incorrect.

This document outlines ICAI's policy to help ensure that we comply with the Data Protection Acts.

ICAI's Data Protection Officer is responsible for ensuring compliance with the Data Protection Act and implementation of this policy on behalf of the Chief Executive. Enquiries about this Data Protection Policy should be made to the Data Protection Officer, The Institute of Chartered Accountants in Ireland, Burlington House, Burlington Road, Dublin 4.

### **Data Protection Policy**

#### Purpose of this policy

This policy is a statement of ICAI's commitment to protect the rights and privacy of living individuals in accordance with the Data Protection Acts.

This Data Protection Policy has been approved by the Chief Executive of ICAI and any breach will be taken seriously and may result in formal action.

#### Collecting information about you

We collect and use information to provide the following services:

- To regulate the accountancy profession in Ireland and in doing so perform the following activities:
  1. Issue and control of practising certificates, insolvency permits, financial services authorisation and audit registration, participation in the Joint Disciplinary Scheme, Quality Review, in-house ethical, investigation and disciplinary issues, and technical research and development.
  2. Training and examination of students, leading to the Chartered Accountant qualification and Continuing Professional Development courses for qualified members.
  3. Provision of products and services to members in practice and business, including but not limited to, the technical and research and development activities of the Taxation, and Representation and Technical departments. This also includes publishing, administration of membership records, research and information service, communication to and on behalf of the membership, public relations and District and Student Societies.
  4. Manage a benevolent association.
  5. Internal administration.
- To keep your information secure.
- To enhance or improve your experience on our website.
- To provide you with online services. Each service has different information requirements. Therefore the information we need, and what it is needed for, can differ. For full details please refer to the terms and conditions for each service.

## Data Protection Principles

We shall perform our responsibilities under the Data Protection Acts in accordance with the following eight Data Protection principles:

1. **Obtain and process information fairly**  
We shall obtain and process your personal data fairly and in accordance with statutory and other legal obligations.
2. **Keep it only for one or more specified, explicit and lawful purposes**  
We shall keep your personal data for purposes that are specific, lawful and clearly stated. Your personal data will only be processed in a manner compatible with these purposes.
3. **Use and disclose only in ways compatible with these purposes**  
We shall use and disclose your personal data only in circumstances that are necessary for the purposes for which we collected the data.
4. **Keep it safe and secure**  
We shall take appropriate security measures against unauthorised access to, or alteration, disclosure or destruction of your personal data and against its accidental loss or destruction.
5. **Keep it accurate, complete and up-to-date**  
We adopt procedures that ensure high levels of data accuracy, completeness and that your data is up-to-date.
6. **Ensure it is adequate, relevant and not excessive**  
We shall only hold your personal data to the extent that it is adequate, relevant and not excessive.
7. **Retain for no longer than is necessary**  
We have a retention policy for your personal data.
8. **Give a copy of his/ her personal data to that individual, on request**  
We adopt procedures to ensure that data subjects can exercise their rights under the Data Protection legislation to access their data.

## Responsibility

Overall responsibility for ensuring compliance with Data Protection Acts rests with ICAI. However our responsibility varies depending upon whether we are acting as either a Data Controller or a Data Processor.

All employees and contractors of ICAI who separately collect, control or process the content and use of personal data are individually responsible for compliance with the Data Protection Acts. All staff are responsible for ensuring that information is not kept for longer than necessary. The Data Protection Officer of ICAI co-ordinates the provision of support, assistance, advice, and training throughout ICAI to ensure that it is in a position to comply with the legislation.

## Right to Access Information

Employees and other subjects of personal data held by ICAI have the right to access any personal data that is being kept about them on computer and also have access to paper-based data held in certain manual filing systems. This right is subject to certain exemptions which are set out in the Data Protection Acts. [Any person who wishes to exercise this right should make the request in writing to the Data Protection Officer using the standard form](#) which is located on our website.

ICAI reserves the right to charge the maximum fee payable for each subject access request. If personal details are inaccurate, they can be amended upon request.

ICAI aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 40 days of receipt of a completed form unless there is good reason for delay. In such cases, the reason for delay will be explained in writing to the individual making the request.

## Procedures and Guidelines

ICAI is firmly committed to ensuring personal privacy and compliance with the Data Protection Acts, including the provision of best practice guidelines and procedures in relation to all aspects of Data Protection.

This Data Protection Policy is supplemented (and may be amended) by specific policies and procedures adopted by ICAI and its subsidiaries. In the event of a conflict between this Data Protection Policy and those of our subsidiaries, then the policies and procedures of the subsidiary shall prevail.

## Review

This Data Protection Policy will be reviewed regularly in light of any legislative or other relevant developments.

**Pat Costello, Chief Executive**

**Dated: 27<sup>th</sup> January 2009**