

Data Protection Policy

Version 2.0

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NETWORK OF EXCELLENCE FOR RESEARCH
IN VIOLENT ONLINE POLITICAL EXTREMISM

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Purpose

VOX-Pol, as a Data Controller, is required by law to comply with the following European and Irish legislations relating to the processing of personal data:

- The European General Data Protection Regulation - GDPR (EU Reg. 2016/679)
- The Data Protection Act 2018

This document is VOX-Pol's policy in response to the requirements of the Data Protection Acts.¹ It is based primarily upon Dublin City University's *Data Protection Policy* (Version 3.0).²

Scope

In order to carry out its statutory, research, and administrative functions VOX-Pol needs to collect and process personal data relating to many categories of people, which include project staff, researchers, students, and other project participants, e.g. conference attendees, workshop and summer school participants, etc.

VOX-Pol takes the confidentiality of personal information seriously and consequently takes reasonable steps to comply with the principles of the Data Protection Acts.

VOX-Pol aims to collect personal information only in order to meet specific legitimate purposes, and to retain that information only for as long as those purposes remain valid.

Ordinarily, VOX-Pol will not pass personal information to any third party, except where required by law, statutory obligations or legitimate purposes balanced against the rights and interests of data subjects.

VOX-Pol is committed to ensuring that all members of staff, project partners, registered students, agents, contractors, and data processors comply with the Data Protection Acts regarding:

- the processing and confidentiality of any personal data held by VOX-Pol;
- the privacy rights of individuals under the legislation.

¹ More complete information is available from the Office of the Irish Data Protection Commission at <http://www.dataprotection.ie>

² Available online at <https://www.dcu.ie/ocoo/dp/guides.shtml>

Data Protection Principles

To comply with the law, information (as defined by the Data Protection Acts) must be collected and used fairly, stored safely, and not disclosed to any other person unlawfully.

To do this, the VOX-Pol project must comply with the following seven Data Protection Principles:

1. *Obtain and process information lawfully, fairly and in a transparent way*: the data must be obtained and processed fairly and lawfully and only when certain conditions are met.³
2. *Keep it only for one or more specific, explicit and legitimate purposes and use only in ways compatible with these purposes*: the data can only be obtained for specified, lawful and clearly stated purposes and the use should not be incompatible with the specified purpose for which it was obtained.
3. *Ensure it is adequate, relevant and not excessive*: the data obtained should be adequate, relevant, and not excessive.
4. *Keep it accurate, complete and up-to-date*: the data must be kept accurate, complete and where necessary up-to-date.
5. *Retain for no longer than is necessary*: the data should not be kept for longer than is necessary for the purpose or purposes for which it was obtained.⁴
6. *Keep it safe and secure*: the data must be kept safe and secure. The Data Controller is responsible for applying adequate security structures to prevent unlawful or inadvertent processing, alteration or loss of the data.
7. *Be responsible for compliance with data protection rules*: the Data Controller is responsible for and has to be able to demonstrate compliance with data protection legislations.

³ See 'Appendix: List of Definitions of Terms' below for details on conditions regarding Personal Data and Special Categories of Personal Data

⁴ See also DCU's Data Retention Policy, which is available online at
https://www.dcu.ie/sites/default/files/policy/182_-_data_retention_v1.pdf

Disclosure of Personal Data

The legislation recognises two categories of personal data:

- ‘Ordinary’ personal data such as name, address, mobile phone number, car registration, PPS Number;
- ‘Special’ personal data, which is more deeply personal to an individual, such as their racial or ethnic background, political opinions, religious or similar beliefs, trade union membership, genetic and biometric data, physical or mental health, sexual life, the (alleged) commission of any offence, subsequent proceedings or sentence (criminal convictions and offences).

Special personal data should normally only be processed if the data subjects have given their explicit consent to this processing.⁵ Processing of personal data relating to criminal convictions and offences could be carried out only under the control of the official authority or if the data subjects have given their explicit consent to this processing.⁶

The legislation applies equally to automated and manual data, i.e. data held or processed on a computer, or data held in ‘hard copy’, stored in an indexed or relevant filing system.

The security of personal information in the possession of VOX-Pol is of paramount importance and is, therefore, addressed in various VOX-Pol policies and further subject to various policies and procedures applying throughout DCU.

In addition to the principles contained within this policy, members of staff and other relevant individuals are also advised to read and adhere to DCU’s *Data Classification Policy*,⁷ *Research Data Management*,⁸ *Data Handling Management*,⁹ and *Contact with Third Parties Policy*.¹⁰

All members of staff have an individual responsibility to ensure that they adhere to VOX-Pol’s Data Protection Policy, additional relevant DCU policies and procedures, and the Data Protection Acts.

⁵ Except in certain circumstances detailed on ‘Appendix: List of Definitions of Terms’

⁶ Except in certain circumstances detailed on ‘Appendix: List of Definitions of Terms’

⁷ Available online at [https://www.dcu.ie/sites/default/files/policy/24%20-](https://www.dcu.ie/sites/default/files/policy/24%20-data_classification_policy_iss_V1.1.pdf)

⁸ Available online at [https://www.dcu.ie/sites/default/files/info/b2.3.1_-](https://www.dcu.ie/sites/default/files/info/b2.3.1_-introduction_to_research_data_management_2.pdf)

⁹ Available online at https://www.dcu.ie/sites/default/files/info/data_handling_guidelines.pdf

¹⁰ Available online at https://www.dcu.ie/sites/default/files/policy/126%20-%20third_parties_contact_policy_coo_v1.pdf

Summary of Responsibilities

Project/VOX-Pol Responsibilities

Key post holders have responsibility for ensuring that:

- All personal data being processed within the Project complies with the Data Protection Acts, the University's Data Protection Policy, and the present policy;
- All contractors, agents, and other non-permanent staff and students involved with the project, are aware of and comply with, the Data Protection Acts, the University's Data Protection Policy, and the present policy.
- All personal data held within the ambit of VOX-Pol is kept securely and is disposed of in a safe and secure manner when no longer needed.

Staff Responsibilities

All members of staff must ensure that:

- Personal data which they provide in connection with their employment is accurate and up-to-date, and that they inform the Project Manager and/or the University of any errors, corrections, or changes, for example, change of address, marital status, etc;
- Personal data relating to living individuals which they hold or process is kept securely;
- Personal data relating to living individuals is not disclosed either orally or in writing, accidentally or otherwise, to any unauthorised third party.
- When supervising students or other individuals involved with the project that are processing personal data, that those students or other individuals are aware of the Data Protection Rules, the University's Data Protection Policy, and the present policy.

Research and Personal Data

The legislation provides certain exemptions for data collected, held, and processed for research purposes (including scientific and historical purposes).

If the purposes of the data processing is scientific or historical research:

- the processing must respect the principle of **data minimisation** (collect data that is adequate, relevant and limited to what is necessary in relation to the purposes).
- Technical and organizational measures could be in place to not permit or no longer permit identification of data subjects, such as **pseudonymisation**.
- The right of access, the right to rectification, the right to restriction of processing and the right to object by the data subjects are restricted to the extent that the exercise of those rights would be to render impossible or seriously impair the achievement of research purposes or such restriction is necessary for the fulfilment of those purposes.

The results of the research or statistics derived from the research should not be made available in a form which identifies the individuals concerned.

Personal data collected, provided or used for research purposes does not have a blanket exemption from the Data Protection Rules. Researchers wishing to use personal data should be aware that the Data Protection Rules will still apply.

Researchers and Project Leaders must ensure that:

- employees and students are aware that, while some exemptions are granted for the use of personal data for research purposes, the Data Protection Principles must be conformed to;
- in all circumstances where personal data is to be used for research purposes, there is an adequate review in advance of processing, to ensure that the requirements of the Acts can be adhered to;
- particular care is taken when the processing involves special personal data.

Data Subject Rights

The Data Subject is entitled to:

- Access to a copy of any data held by the Project which relates to him/her;
- Withdraw his/her consent at any time;
- Require that any inaccurate data held by VOX-Pol is corrected or erased;
- Obtain from the Project the erasure of his/her personal data;
- Obtain from VOX-Pol restriction of processing;
- Object to processing of personal data;
- Prevent evaluative decisions being made solely by automated means;
- Right to data portability;
- Right to complain to the Irish Data Protection Commission.

A Data Subject is entitled to obtain freely a copy of all data held by the Controller which relate to them. To be a valid request, the Subject Access Request (SAR) must be:

- Made in writing to the controller;
- Provide adequate identification.

On receipt of a valid SAR, the Data Controller (VOX-Pol) must comply with the request within one month of the receipt of the request.

Transfer of Data Overseas

The Data Protection Acts prohibits the transfer of personal data to any country outside of:

- The European Economic Area (EEA = EU Member States plus Iceland, Liechtenstein and Norway,);
- The recognized Safe Countries (Andorra, Argentina, Canada (for certain purpose only), the Faroe Islands, Guernsey, Israel, the Isle of Man, Japan, Jersey, New Zealand, Switzerland and Uruguay);
- Organisations within the United States that subscribe to the ‘EU/US Privacy Shield’ principles.

Before transfer to any other destination, VOX-Pol and DCU, as Data Controller(s), must be satisfied as to the adequacy of protection that will be provided to the data at its destination.

Further Information

The VOX-Pol project's Data Protection Officer is Dr Monica Cappelletti who may be contacted on monica.cappelletti@dcu.ie

Within DCU, the Director of Information Systems & Services has overall responsibility for the co-ordination of Data Protection issues including the annual registration with the Office of the Data Protection Commissioner.

University-level queries and clarifications should therefore be directed to ISS.ServiceDesk@dcu.ie and marked for the attention of the Director, Ms. Barbara McConlogue.

Document Change Management

It is important to keep this Data Protection Policy current in order to ensure that it addresses legislative changes and security issues accurately, and is up-to-date with evolving business issues and technologies. This policy is a living document that will be reviewed annually and/or updated as needed.

VOX-Pol's Data Protection Officer will draft necessary changes, including reflecting herein any changes made to DCU's Data Protection Policy. Anyone in DCU or VOX-Pol partner institutions can determine the need for a modification to the existing policy. Recommendations for changes to this policy should be communicated to VOX-Pol's Data Protection Officer, Dr Monica Cappelletti.

APPENDIX: List of Definitions of Terms

Data

Information which is being used or held in a computerised system, or a 'relevant filing system' i.e. a manual filing system that is structured in such a way that data contained within it is readily accessible. Data can be written information, photographs, fingerprints or voice recordings.

Personal Data

Information that identifies and relates to a living individual, and includes any expression of opinion or intention about the individual. Personal data could be contact details, date of birth, qualifications, or anything pertaining to an individual. It is something that affects that person's privacy (whether in their personal/family life, or business/professional capacity) in the sense that the information has the person as its focus or is otherwise biographical in nature, and identifies that person – by itself or with other information.

Personal data shall not be processed unless at least one of the following conditions is met:

- The consent of the individual;
- The performance of a contract with the individual;
- A requirement under a legal obligation;
- The protection of the individual's vital interests of the data subject or of another person;
- The processing is necessary:
 - i. for the performance of a task carried out in the public interest or in the exercise of official authority,
 - ii. for the purposes of the legitimate interests pursued by the data controller (VOX-Pol, DCU) or by a third party, except where such interest are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child,
 - iii. for the purposes of preventing a threat to national security, defence or public security,
 - iv. for the purposes of preventing, detecting, investigating or prosecuting criminal offences,
 - v. for the purposes of providing or obtaining legal advice or establishing, exercising or defending legal rights.

Special personal data

Special personal data is defined as Personal Data relating to an individual's:

- Racial or ethnic origin;
- Political opinions;
- Religious beliefs or beliefs of a similar nature;
- Membership of a trade union;
- Processing of genetic data, biometric data for the purpose of uniquely identifying a person;
- Physical or mental health or condition;
- Sexual life;

Special personal data shall not be processed unless at least one of the conditions detailed in respect of personal data is met and at least one of the following conditions is also met:

- The Explicit consent of the individual.
- A legal obligation in the context of employment.
- The protection of the vital interests of the individual.
- The processing is carried out in the course of the legitimate activities by any incorporated or unincorporated body of persons, that:
 - A. is not established, and whose activities are not carried on for profit, and
 - B. exists for political, philosophical, religious or trade-union purposes.
- The information has been made public by the individual.
- The information is required in connection with legal proceedings.
- The processing is necessary for reasons of substantial public interests.
- The information is required for preventive or occupational medicine.
- The processing is necessary for reasons of public interest in the area of public health.
- The processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.
- The processing is necessary:
 - for the purposes of preventing a threat to national security, defense or public security,
 - for the purposes of preventing, detecting, investigating or prosecuting criminal offences,
 - for the purposes of providing or obtaining legal advice or establishing, exercising or defending legal rights.
 - for the purposes of administration of justice and performance of functions.

Data related to the:

- Commission or alleged commission of an offence;
- Proceedings for any offence or alleged offence, or sentence of court

are Special categories of personal information. Processing of those data shall be carried out only under the control of official authorities or where:

- Data subject has given explicit consent
- Processing is necessary and proportionate for the performance of a contract
- Processing is necessary for the purpose of providing or obtaining legal advice
- Processing is necessary for the purpose of establishing, exercising or defending legal rights
- Processing is necessary to prevent injury or other damage to data subject
- Processing is permitted in the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016.

Processing

Anything which can be done with personal data i.e. obtaining, recording, holding, organising, adapting, altering, retrieving, consulting, disclosing, aligning, combining, blocking, erasing, destroying, etc.

Data Subject

An individual who is the subject of personal data. This will include: staff, current and prospective students, graduates, suppliers of goods and services, business associates, conference delegates, survey respondents, etc.

Data Controller

Refers to VOX-Pol and Dublin City University. This includes members of staff who collect and process personal data on behalf of VOX-Pol and/or the University and students who are collecting and processing personal data on behalf of the Project or University or as part of their studies.

Data Processor

Any person (other than an employee of the University) who processes personal data on behalf of the University, e.g. researchers from VOX-Pol's formal partner institutions, printing company, etc.

Recipient

Any person or organisation to which personal data is disclosed.