

WorkAbility

YOUR DATA AND RIGHTS



Who is in charge of your data

Department of Social Protection and the Department of Further and Higher Education, Research, Innovation and Science are in charge of your data.

How long your data is kept for

The information you share with us is stored confidentially for 7 years after the end of the scheme.



How to exercise your rights

Under data protection law, you have certain rights in relation to your personal data. To find out more email dataprotection@pobal.ie

The lawful basis

The lawful basis for processing your data in this case is called 'Task carried out in the public Interest, (GDPR Art 6(1)e)'. We will ask for your consent for any additional information about your disability.





WorkAbility Data Privacy Notice for Individuals

(Issued March 2024)

1. Lawful basis

The Joint Controllers (Department of Social Protection and the Department of Further and Higher Education, Research, Innovation and Science acting as the ESF Managing Authority) rely on what is called **Task carried out in the public interest as (GDPR Art 6(1)e)** as the lawful basis which stems from the legislation implementing the Employment, Inclusion, Skills, and Training (EIST) Programme 2021-2027.

To deliver the scheme, the Joint Controllers have hired Pobal as a Processor of your data and to act only under their instruction.

2. What Personal Data will be collected and how will it be processed?

It is necessary for the WorkAbility scheme to collect only that information needed to determine your eligibility for the programme, to help us provide suitable supports to meet your needs and to demonstrate that we are engaging with the wide range of people WorkAbility aims to assist. Some of the information is personal data such as your name and address, your phone number, gender and date of birth. We need this in order to be able to contact you, to establish your age eligibility for the programme, to map your address to a geographic area and to comply with our funders reporting requirements. The system that we hold your information on will generate a unique reference number in relation to your records.

Some of the information is deemed **Special Category Data** which is personal information that is considered especially sensitive. For your confirmation of the existence of a disability, which is required for eligibility to participate in the scheme, the Controllers rely on Article 9(2)(b) under the GDPR as the additional condition: "processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law." When requesting further details of your disability, the provision of which is **purely optional** and used for reporting on the scheme, Article 9(2)(a) your "explicit consent" is relied upon. If you do give your consent, you can change your mind at any time and we will stop any further use of the additional personal data you provided.

We collect your Personal Data through completion of this registration form. We also record when and how we helped you during your engagement with WorkAbility, for example if you went on a course or received a grant. We store the signed registration form and all information collected is recorded on the WorkAbility computer database (CRM). Personal data gathered is stored and processed within Europe.

3. How and why we use your Personal Data

The information we record about you is used to:

- see if the programme is right for you, i.e. you are eligible for the programme.
- track an individual's progression on the programme i.e. educational achievement, labour market status at the start of the programme and what your activity is when you leave.
- check that our services are reaching people from all backgrounds.
- identify and inform you of the best possible supports tailored to your needs.
- keep track of the services we provide to you and see if they have helped you.
- produce statistics to help us plan and improve our services and assist our funders in providing a better national service.
- comply with our funders monitoring, reporting and audit requirements.

4. Disclosure of your Personal Data

The Data Controllers undertake to maintain your Personal Data in secure conditions with appropriate technical and organisational measures to protect it from unauthorised access or use. The Personal Data held on your CRM record will be disclosed to relevant staff of the Data Controllers, Pobal and your local WorkAbility project on a need-to know basis. All staff are made aware of the procedures they must follow to ensure your Personal Data is appropriately protected. Some of your Personal Data may be reviewed from time to time as part of a programme audit and for the monitoring, reporting and evaluating of WorkAbility.

6. Future contact

Pobal, research bodies and/or agents of the Department (DSP) may contact people who have registered with WorkAbility to get feedback about their experiences and to help them to evaluate WorkAbility. Only participants who have given permission for this, will be contacted. If you agree to be contacted, your contact details will be given to Pobal, research bodies and/or agents of the Department. You can change your mind at any time and you will not be contacted.

7. How long we will keep your Personal Data

The information you share with us is stored confidentially in your WorkAbility participant file and on the CRM online computer database for **seven years** from the end of the programme.

8. Changes to this policy

The Departments keep this privacy notice under regular review and will place any updates on the WorkAbility page of the Pobal website (www.pobal.ie). This privacy policy was last updated on **26th January 2024**.

9. Your rights

Under data protection law, you have certain rights in relation to your personal data: the right to be informed; the right of access; the right to rectification; the right to erasure (the right to be forgotten is not absolute); the right to restrict processing; the right to object; rights in relation of automated decision making and profiling. You also have the right to withdraw any consent you have provided.

If you have any questions on the processing of your personal data or wish to exercise any of your data rights, such as withdrawal of your consent, please contact us or the Data Protection Officer within Pobal (acting as the first point of contact) or one of the Data Controllers named below.

Pobal Data Protection Officer Ormond Building 31-36 Upper Ormond Quay Dublin 7, D07 N5YH Email: dataprotection@pobal.ie	Department of Social Protection Data Protection Officer Goldsmith House, Pearse Street, Dublin 2 Email: DPO@welfare.ie	ESF Managing Authority Data Protection Officer Department of Further and Higher Education, Research, Innovation and Science 52 St Stephen's Green Dublin 2, D02 DR67 Email: esfdata@dfheris.gov.ie
--	--	---

You also have the right to make a complaint to the Data Protection Commissioners if, having raised a concern with Pobal or one of the Joint Controllers, you still believe your personal data has been processed contrary to the legislation. Their contact details are given below and their website explains fully your rights.

Data Protection Commission 21 Fitzwilliam Square South Dublin 2, D02 RD28	Email: dpo@dataprotection.ie Telephone: 01 7650100 / 1800437 737 Website: www.dataprotection.ie
--	--