

## **Appendix 17 - DATA PROTECTION POLICY**

### **Purpose of this policy**

This policy is a statement of Moyvalley Hotel & Golf Resort's commitment to protect the rights and privacy of individuals in accordance with the Data Protection Acts 1988 and 2003. From 25<sup>th</sup> May 2018 we are committed to complying with General Data Protection Regulation (GDPR).

The Company may from time to time collect and retain personal data including sensitive personal data about employees and clients from which individuals may be identified. While much of an individual's personal data will come directly from the individual himself/herself, there will be circumstances where personal data from other sources will be collected and retained by the Company. The Company will typically hold personal data on an employee's personnel file but it will also hold working time records, vehicle tracking records, payroll records, records of phone, email, internet and other IT usage and so on which will include data directly related to employees.

### **What Is Personal Data?**

Personal data is data relating to a living individual who is or can be identified either from the data or from the data in conjunction with other information that is in, or is likely to come into, the possession of the data controller. The data protection principles apply to any sort of personal data, which is either electronically processed (e.g. on a database) or which is held or intended to be in a structured filing system (e.g. a set of personnel files).

Certain personal data is classified as "sensitive personal data". This is personal data relating to a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, membership of a trade union, physical or mental health, sexual life or any criminal offence or related proceedings. For example, the Company may, where necessary in connection with employment, collect and process sensitive personal data in respect of your health.

The Company does not propose disclosing your personal data to any third party outside the Company, save where required by law to do so (e.g. where an Inspector from the Department of Enterprise, Trade and Innovation demands to see working time records). By signing the Employee Acknowledgement at the end of this handbook, you hereby consent to the collection and retention of such personal data and to the disclosure and/or transfer of your personal data to any Associated Company.

All employees and contractors of Moyvalley Hotel & Golf Resort who separately collect, control or process the content and use of personal data are individually responsible for compliance with the Data Protection Acts.

### **Data Protection Principles**

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

#### **1. Obtain and process information fairly**

We shall obtain and process 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 personal data for purposes that are specific, lawful and clearly stated. Personal data will only be processed in a manner compatible with these purposes as defined in the company personal data usage matrix.

### **3. Use and disclose only in ways compatible with these purposes**

We shall use and disclose 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 personal data and against its accidental loss or destruction.

### **5. Keep it accurate, complete and up-to-date**

We adopt procedures that ensure data accuracy, completeness and that data is up-to-date.

### **6. Ensure it is adequate, relevant and not excessive**

We shall only hold personal data to the extent that it is adequate, relevant and not excessive.

### **7. Retain for no longer than is necessary**

We will only keep information on individuals for as long as is necessary.

### **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.

### **9. Not transfer data outside the EEA**

We will not transfer or store data outside the EU or EEA without relevant security in place.

## **Procedures and Guidelines**

Moyvalley Hotel & Golf Resort 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.

## **Your Rights Under the Data Protection Rules**

The Acts give you (and anyone else about whom personal data is held) specific rights in relation to the information that is held about you. Some of these rights are summarised below.

Under the Acts, you are able to:

- Obtain confirmation that the Company holds personal information about you, as well as a written description of the information, the purposes for which it is being used, the sources of the information and the details of any recipients
- Obtain access to the personal information, which is held about you
- It is important to note that this is not an absolute right to review all the information that is held about you, as there are various exceptions to this right contained in the Acts. These include:
  - where personal data is kept for the purpose of preventing, detecting or investigating offences and related matters, and
  - where the data is an expression of opinion about you given by another person in confidence
- In certain circumstances, you can ask for the deletion or rectification of information, which we hold about you, which is not accurate, or request that your personal information be used for specific purposes

## **Your Responsibilities Under the Data Protection Rules**

As well as having rights under the Acts, all employees when processing personal data must comply with the data protection rules set out in this Policy. Failure to comply with the rules and

requirements in relation to data protection may result in disciplinary/legal action being taken against you.

### **Security Statement**

Moyvalley Hotel & Golf Resort has taken measures to guard against unauthorised or unlawful processing of personal data and against accidental loss, destruction or damage.

This includes:

- Adopting an information security policy
- Taking steps to control physical security
- Putting in place controls on access to information
- Establishing a business continuity/disaster recovery plan
- Training all staff on security systems and procedures
- Detecting and investigating breaches of security should they occur

### **Personal Information Relating to Employees and Clients**

- If as part of your job, you hold any personal information about other employees, clients or about anyone else, then you also need to take steps to ensure that you are following these guidelines. Please note that these guidelines apply equally to documents containing personal information which are kept in files, as well as data which is kept electronically.
- You should not keep personal information about people, which you no longer need or which is out of date or inaccurate. You should therefore review any personal information that you hold from time to time, bearing these principles in mind.
- All personal information must be kept securely and should remain confidential.
- If you receive a request from someone to give them any personal data about an employee or client (or other individual) you should refer them to the Managing Director/CEO. The Company needs to verify the identity of the person making such a request and has to balance various considerations when deciding whether and how to respond to such request, including compliance with the Acts. It is therefore important to refer such requests to the Managing Director/CEO so that s/he can ensure the Company's obligations are complied with.
- Accessing, disclosing or otherwise using employee records or other personal data without authority will be treated as a serious disciplinary offence and may result in disciplinary action being taken up to and including dismissal.

If you are unsure about the application of these guidelines to the information you hold as part of your job, you should contact your Manager for further guidance.

### **Review**

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

### **Employee Consent**

By signing the Acknowledgement at the end of this Employee Handbook, you acknowledge that the Company possesses and will process personal data relating to you in accordance with the provisions set out in this policy.

## **Appendix 18 - CONFIDENTIALITY POLICY**

At Moyvalley Hotel & Golf Resort we maintain sensitive information about our employees and our customers / suppliers because it helps us to serve them better. At the same time, trust is the

foundation of our relationship, without that no company can succeed. Nowhere is trust put more to the test than with the sensitive information we maintain about our employees and our customers / suppliers. Both parties have a right to expect that we treat their information with the utmost respect, integrity and care.

### **Our Approach**

The purpose of this policy is to ensure that the company protects its intellectual property and commercial interests. We aim to promote a working environment built on trust and will share information with those who need it in order to do their job. This means that, in the course of their employment, employees will have access to information which must remain confidential.

Moyvalley Hotel & Golf Resort will respect the confidentiality of information obtained in the course of our business and not share information about employees or clients to anybody outside the Company.

In return, staff will maintain confidentiality of all information regarding Moyvalley Hotel & Golf Resort, other employees or clients. It is a breach of this policy to discuss privileged information with anybody outside the Company and may lead to disciplinary action up to and including dismissal.

### **Scope**

This policy sets out the obligations of all staff in relation to confidentiality. Confidential information could be:

- Personal information relating to employees, applicants or former employees
- Financial information
- Information in relation to security/computer systems
- Operations Information
- Business Information
- Commercial Information
- Information relating to existing or prospective clients
- Information relating to existing or prospective suppliers

This list is not exhaustive

The confidentiality policy applies to individuals both during employment and after leaving our employment. The employee contract also provides information to the employee on their responsibilities under the confidentiality clause.

You shall not during your employment with us or at any time thereafter:

- a) disclose any confidential information in relation to our clients to any person or persons (except to those authorised by management or as otherwise required by law)
- b) use for any purpose or purposes any confidential information acquired by you as a result of your employment with us other than on our behalf.
- c) or, through any failure to exercise all due care and diligence, divulge confidential information of Moyvalley Hotel & Golf Resort, including, in particular, lists or details of our clients, or information relating to our clients or suppliers, or in respect of which the Company is bound by any obligation of confidence to a third party.

All notes, documents, records, memoranda, and writing made, received or obtained by you on any matters relating to the organisation, business, finance, customers, suppliers, dealings or affairs of

the Company shall be treated as confidential and shall remain our property and shall be delivered by you to the Company immediately upon request.

### **Policy**

No member of staff can disclose confidential company information obtained in the course of employment, except where the explicit authorisation is gained from management.

An employee may not use, attempt to use, or allow others to use company information in any way that may:

- Be contrary to the interests of the company
- Be in competition with the company
- Bring the name of the company into disrepute
- Compromise the confidentiality of our business plans

Employees who have access to confidential company information, both on hard and soft copy must take all reasonable precautions to ensure that this information is kept confidentially and securely.

Where an employee is in any doubt as to his/her obligations in relation to confidentiality or this policy, he/she should seek clarification from his/her Supervisor/Manager.

When leaving our employment, employees may not remove any documents or electronic files belonging to the company and containing company information. Employees leaving the Company must be aware that where it is found that an ex-employee has breached this policy, the company may take legal action.

Breach of this policy could lead, following investigation, to disciplinary action up to and including dismissal on the grounds of misconduct or legal action.

Employees are required not to divulge secrets or any information, which is regarded as confidential by The Company or any associated companies or their business during or after your employment, except in the proper course of your employment or as required by law.

You must return to The Company upon request and, in any event, upon the termination of your employment, all documents and effects belonging to The Company or which contain or refer to any confidential information and which are in your possession or under your control.

Breach of confidentiality may be treated as gross misconduct, and may lead to disciplinary action including dismissal or such other or further action deemed necessary by the Company.

## **Appendix 19 - CCTV POLICY**

### **Purpose**

Closed Circuit Television Systems (CCTV) are installed in Moyvalley Hotel & Golf Resort. The purpose of this policy is to regulate the use of CCTV and its associated technology in the monitoring of both the internal and external environs of premises under the remit of Moyvalley Hotel & Golf Resort.

CCTVS are installed both internally and externally for the purpose of enhancing the security of the buildings, their associated equipment and occupants as well as creating a mindfulness among the occupants, at any one time, that a surveillance security system is in operation within and/or in the external environs of the premises.

### **Scope**

This policy applies to all personnel and properties under the remit of Moyvalley Hotel & Golf Resort and relates directly to the location and use of CCTV, the monitoring, recording and subsequent use of such recorded material.

### **General Principles**

Moyvalley Hotel & Golf Resort has a statutory responsibility for the protection of its property, equipment and other plant as well as providing a sense of security to its employees and invitees to its premises. Moyvalley Hotel & Golf Resort owes a duty of care under the provisions of Health & Safety legislation and utilises CCTV systems and its associated monitoring and recording equipment as an added mode of security and surveillance for the purpose of enhancing the quality of life of its employees by integrating the best practices governing the public and private surveillance of its premises.

The primary aim of CCTV monitoring of all Moyvalley Hotel & Golf Resort premises is to deter crime and vandalism and to assist in the protection and safety of the said properties, their associated equipment and materials and occupants. However, CCTV footage may be used during the investigation and disciplinary process. Footage obtained by CCTV cameras can be useful for establishing facts and can be used in arriving at a decision and may be used by management at their discretion.

Monitoring for security purposes will be conducted in a professional, ethical and legal manner and any diversion of the use of CCTV security technologies and personnel for other purposes is prohibited by this policy e.g. CCTV monitoring of political or religious activities.

Information obtained through video monitoring may only be released when authorised by the Managing Director (Data Controller). Supplying CCTV images to an Garda Síochána should be by written request which states that a criminal investigation is being carried out. If a verbal request is acceded to, where there is a degree of urgency, a formal written request should be obtained afterwards.

The code of practice for video monitoring prohibits monitoring based on the characteristics and classifications contained in Equality and other related legislation e.g. race, gender, sexual orientation, national origin, disability etc. Video monitoring of public areas, for security purposes, with the said establishment, is limited to uses that do not violate the reasonable expectation to privacy as defined by law.

When a data subject requests CCTV images he/she should supply a time frame of the recording. This would refer to specific days and/or hours but a general request for all CCTV data held will not be acceptable.

### **Management and Use of CCTV**

Any use of this system or materials produced which is frivolous, or for private purposes, or is otherwise inconsistent with the objectives and procedures outlined within this policy will be considered gross misconduct. Any Moyvalley Hotel & Golf Resort employee involved in incidents of

this type will face appropriate disciplinary action. Information obtained through CCTV monitoring may only be viewed or released when authorised by the Managing Director (Data Controller).

All CCTV systems and associated equipment will be required to be compliant with this policy following its adoption by Moyvalley Hotel & Golf Resort.

### **Covert Recordings**

The Company may only undertake covert recording with the written authorisation of the Managing Director (Data Controller) where:

- Informing the individual(s) concerned that the recording is taking place would seriously prejudice the reason for making the recording
- There is good cause to suspect that an illegal or unauthorised action(s) is/are taking place or about to take place

Any such monitoring will only be carried out for a limited and reasonable amount of time consistent with the objectives of the monitoring, and only for a specific unauthorised activity. All such occasions will be fully documented showing who made the decision to use covert monitoring and why.

### **Responsibilities**

The Managing Director (Data Controller) of Moyvalley Hotel & Golf Resort will:

- Oversee and coordinate the use of CCTV monitoring for safety and security purposes on the Company's premises
- Ensure that all existing CCTV monitoring systems will be evaluated for compliance with this policy
- Review camera locations and be responsible for the release of any information or material stored in video tapes in compliance with this policy
- Maintain a record of the release of tapes or any material recorded or stored in the system
- Ensure that images are stored for a period not longer than 30 days unless required for investigation
- Give consideration to employee petitions regarding possible invasion of privacy or confidentiality due to the location of a particular CCTV camera or associated equipment
- Ensure that all areas being monitored are not in breach of an enhanced expectation of the privacy of individuals and be mindful that no such infringement is likely to take place
- Ensure that adequate signage, at appropriate and prominent locations is displayed and include the following in such signage: "CCTV Cameras in Operation"
- Ensure that camera control is solely to monitor suspicious behaviour and not individual characteristics