

Data Privacy Notices



Privacy Notices should be present at any point where personal data is being collected from a Data Subject, directly or indirectly.

The GDPR stipulates that privacy policies should be concise and presented in an easy-to-read format with limited legalese.

That said, the GDPR also increases the amount of information that must be included in Privacy Notices.

To be included in your Data Privacy Notice	
✓	The identity and contact details of the controller
✓	The contact details of the Data Protection Officer (DPO), if applicable
✓	The purposes and legal basis for the processing
✓	Where the processing is based on legitimate interest, details of what these interests are
✓	The recipients or categories of recipients of the personal data, if any i.e. to whom the data will be disclosed
✓	Details of any transfer to a third country and in relation to any transfers outside of the EU, reference to the safeguards in place and the means by which to obtain a copy of them
The following needs to be included to ensure fair and transparent processing	
✓	The retention periods or the criteria used to determine that period
✓	Details on right to request access to and rectification/deletion of personal data. Rights to object to processing and the right to data portability.
✓	If processing is based on consent, the right to withdraw consent
✓	The right to lodge a complaint with a supervisory authority

✓	Whether the provision of personal data is a statutory or contractual requirement, as well as details on whether the data subject is obliged to provide the personal data and the consequences of failure to provide it.
✓	Details of any automated decision making, including details of the logic used and consequences for the individual

Note: If as a Data Controller you plan to process the data collected for a purpose other than for which it was originally collected, the data subject must be provided with information on the purpose.

Additionally

Should you obtain Personal Data via a means not direct from the Data Subject themselves you also need to provide a notification to them (with some exceptions);

✓	within a reasonable period after obtaining the personal data, but at the latest within one month, having regard to the specific circumstances in which the personal data are processed
✓	if the personal data are to be used for communication with the data subject, at the latest at the time of the first communication to that data subject
✓	if a disclosure to another recipient is envisaged, at the latest when the personal data are first disclosed.

The above notes have been designed as guidance only and should not be used as a substitute to specialist legal advice where appropriate.