

# Data Protection Statement

**Ref: IC008, v1**

May 2024



**An Bord Um  
Chúnamh Dílthiúil**  
Legal Aid Board

Providing access to justice since 1979

# Policy and Procedure Document Summary

Document Governance and Management	
Document Name	Data Protection Statement
Current Version	v1
Document Reference Number	IC008
Date Effective From	15 <sup>th</sup> May 2024
Date Effective Until	14 <sup>th</sup> May 2026
Commissioning Directorate	Information & Communications Directorate
Commissioning Unit	Knowledge & Information
Document Owner (Director)	Gareth Clifford
Document Author	Dr. Brian Moss
Document Approver (Person or Group)	Executive Management Team
Note: Formal review may occur sooner if new legislative/regulatory or emerging issues/research/technology/audit etc. dictates sooner.	

Version Control				
Version No.	Date Reviewed	Description of Change	Author	Approved by
1	23/04/2024	Full Review	Brian Moss	Gareth Clifford

Purpose of this Statement
<p>The Legal Aid Board is required to post a Data Protection Statement on its website. That statement informs service users about what they can expect in terms of how the Board collects, stores, uses, transfers, alters, and deletes personal data.</p> <p>Items 1 to 11 below will be posted on the Legal Aid Board website as its Data Protection Statement.</p> <p>Sources used to inform this Statement are as follows:</p> <ul style="list-style-type: none"><li>• Data Protection Commission (2023) DPC Data Protection Statement <a href="https://www.dataprotection.ie/en/about-our-site/data-protection-statement">https://www.dataprotection.ie/en/about-our-site/data-protection-statement</a></li><li>• HSE (2023) Privacy and Data Protection Statement <a href="https://www.hse.ie/eng/services/list/4/mental-health-services/dbt/privacy-and-data-protection-statement.html">https://www.hse.ie/eng/services/list/4/mental-health-services/dbt/privacy-and-data-protection-statement.html</a></li><li>• NTMA (2024) Data Protection Statement <a href="https://www.ntma.ie/information-pages/data-protection-statement">https://www.ntma.ie/information-pages/data-protection-statement</a></li></ul>



## 1. Purpose

The Legal Aid Board has a duty to comply with all data protection, privacy and security laws, and regulations in delivering its functions to the public, legal practitioners, contractors, and for prospective and current staff. The purpose of this Data Protection Statement is to explain how the Board collects, stores, uses, safeguards, and erases personal data in carrying out its role.

This Statement does not cover all data protection practices that the Board implements.

## 2. The Information the Board Processes

The Board provides legal advice, legal aid and mediation, draws on private practitioners to deliver some of these services, and ensures these functions are enabled through a range of supporting corporate services. To do this, the Board may seek to collect:

- personal details (e.g. name, date of birth, contact details, including special data on ethnicity, religious belief);
- material circumstances (financial, personal, and health);
- business details (e.g. tax compliance, experience);
- views and attitudes (e.g. for research purposes to assist improve services).

The Board may also process special categories of data in the course of establishing, exercising of defence of legal claims or research where it has the consent of a person. These data can relate to health, racial or ethnic origin, or criminal convictions.

## 3. Legal basis for processing

The data are necessary for the Board to carry out its legal obligation and exercise its official authority in doing so under the Civil Legal Aid Act 1995, and later amendments to that Act.

## 4. Collection and use of personal data

The Board obtains personal data from application forms a service user completes or from third parties, including those based in medical, legal, social service, and government occupations.

Where the Board aims to use collected personal data for a purpose other than that stated above, it will seek a person's consent to do so.

Where the Board determines the collection and use of personal data, it is the data controller. Where the Board processes data on behalf of a third-party, it is a data processor.

## 5. Service user rights

A person in contact with the Board must consent to the Board collecting and using their personal data. Thereafter, a person has rights in terms of requesting access to, correction, restriction, or deletion of personal data, provision of the data in a portable format, objecting to processing, and withdrawing consent for the Board processing their personal data.



Please note that certain restrictions apply to rights for persons set down in the GDPR.

## 6. Retention of personal data

The Board will retain personal data only for as long as is necessary to meet its statutory role and in line with its Data Retention and Destruction Policy, available at [www.legalaidboard.ie](http://www.legalaidboard.ie). All data are retained in a secure manner, with most retained for seven years or less.

When the retention period for any data expires, the Board deletes data in a secure manner with all erasure processes certified to recognised international standards.

## 7. Keeping records safe

The Board utilises a range of technical and organisational security and audit measures in place to limit the access to and loss, theft, alteration, or misuse of personal data. These range from physical safeguards in the workplace to digital measures. Board staff receive access only to such personal data as are necessary to complete their work. They are also required to respect all personal data with which they come into contact and to keep it confidential. The Board undertakes an assessment of all third parties to whom it plans to transfer/ receive personal data.

Where a breach arises, the Board undertakes an assessment of whether to inform the Data Protection Commission and the person whose data are at issue, in compliance with GDPR.

## 8. Making personal data available to others

In certain circumstances the Board may provide personal data it has obtained to third-parties. The Board will only do this where it is necessary in the performance of its legal role. When transferring data to a third-party, the Board will ensure that only necessary data are made available and other than to law enforcement or regulatory bodies, that this is subject to a formal agreement with the third-party. That agreement will bind both the Board and the third-party and any sub-processors in or beyond the EU to obligations in GDPR and national legislation.

The Board will publish a list of all data transfers on its website [www.legalaidboard.ie](http://www.legalaidboard.ie).

More information about this can be found in the Board's Data Protection Policy available at [www.legalaidboard.ie](http://www.legalaidboard.ie).

## 9. Contact details

The Board's Data Protection section and Data Protection Officer can be contacted at the details below. These are also published on the Board's website [www.legalaidboard.ie](http://www.legalaidboard.ie)

Data Protection Officer  
Legal Aid Board  
Quay Street,  
Cahirciveen  
Co. Kerry  
V23 RD36



Phone: (066) 947 1000

Email: [dataprotection@legalaidboard.ie](mailto:dataprotection@legalaidboard.ie)

## 10. Making a complaint

A person dissatisfied with the Board's response to matters relating to its Data Protection Statement may then submit a complaint as follows:

Data Protection Commission

21 Fitzwilliam Square

Dublin 2.

D02 RD28

Ireland

Phone: 01 765 0100

Email: [info@dataprotection.ie](mailto:info@dataprotection.ie)

Web: [www.dataprotection.ie](http://www.dataprotection.ie)

## 11. Amendment

Compliance with this statement will be monitored by the Data Protection section and the EMT members reporting to the Board Audit and Risk Committee.

The Board will amend this procedure regularly but may amend this procedure at any time to take account of business, legislative, or organisational changes. Any changes to the statement will be notified on the Board website.

