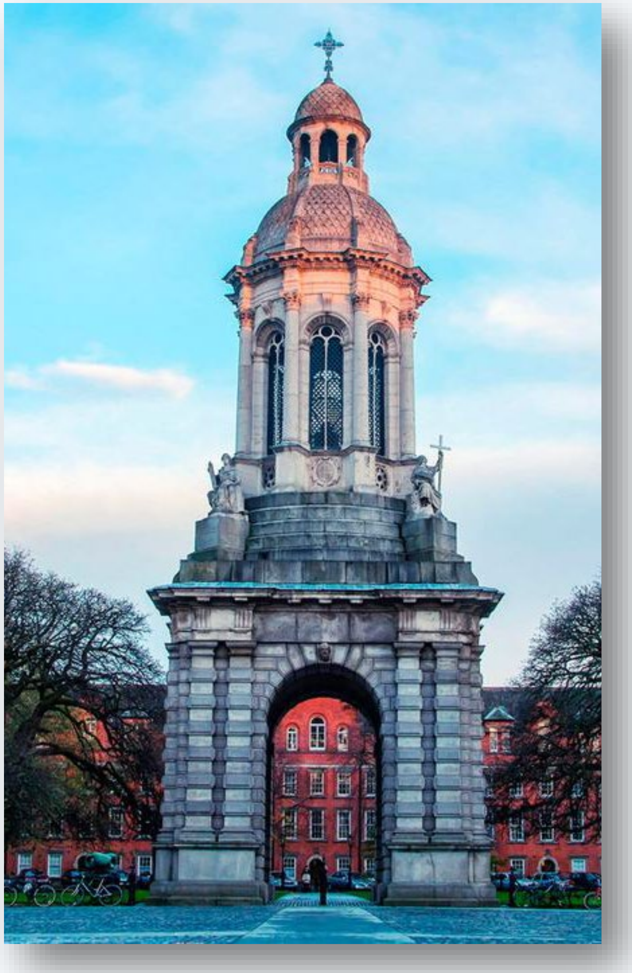
Data Protection - Scope

- Personal data has become a currency that enables people to progress through life
- Used correctly, this data rarely has any negative impact for individuals
- Students and staff at Trinity College - a responsibility to ensure that personal data is processed in a manner that protects the dignity and respect of students and members of staff
- Students and staff - maintain a certain standard of behaviour so that improper conduct involving personal data is not accepted or deemed acceptable
- Individual responsibility includes awareness of one’s own behaviour when posting comments or sharing personal data, and its potential effects on others



Privacy – Context & Importance

Harvard Law Review – 1890

"the individual shall have full protection in person and in property"

The right to privacy is our right to keep a domain around us, which includes all those things that are part of us, such as our body, home, property, thoughts, feelings, secrets and identity.
The right to privacy gives us the ability to choose which parts in this domain can be accessed by others, and to control the extent, manner and timing of the use of those parts we choose to disclose.

Yael Onn, Privacy in the Digital Environment

"People should be able to benefit from technology while remaining in control of their privacy"

Irish DP Commissioner, 2011

- In the modern digital age, the importance of ensuring that privacy rights are safeguarded is more challenging than ever.
- However, this does not reduce the level of responsibility for Trinity College staff or students when processing personal data.

Privacy & Data Protection – Context

European Union – Fundamental Human Right

European Convention on Human Rights (1950)

- “Everyone has the right to respect for his private and family life, his home and his correspondence.”

EU Charter of Fundamental Rights (2000)

- “Everyone has the right to the protection of personal data concerning him or her”.

What is Personal Data?

GDPR Article 4 provides a definition of what constitutes personal data

- Any information relating to an identified or identifiable natural person ('data subject')
- An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person

Examples:

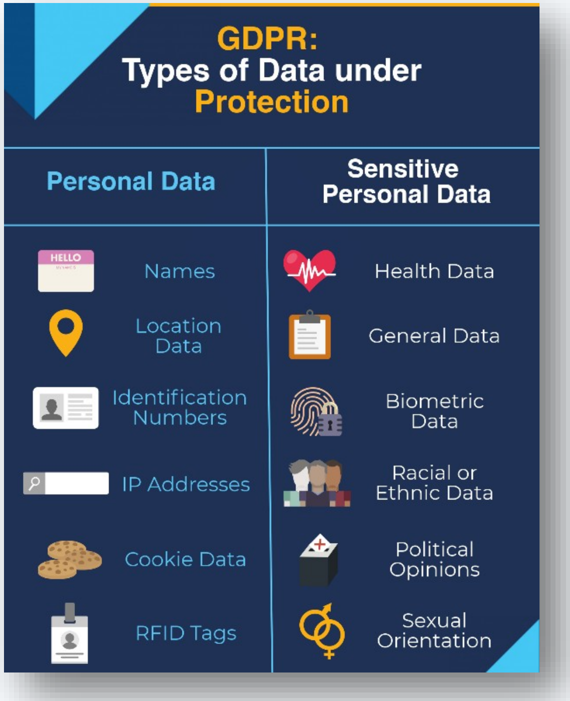
- Image
- Name
- Address
- Email address
- College ID number
- Exam scripts and assessment results
- Information about a person which relates to their personality or personal attributes

What is Personal Data?

Sensitive personal data - Certain types of personal data merit additional safeguarding under data protection law.

These are known as ‘special categories of personal data’:

- Health-related data
- Racial or ethnic origin
- Political, philosophical and religious beliefs and opinions
- Biometric and genetic information
- Trade-union membership
- Data concerning a person’s sex life and sexual orientation



GDPR: Types of Data under Protection

Personal Data	Sensitive Personal Data
Names	Health Data
Location Data	General Data
Identification Numbers	Biometric Data
IP Addresses	Racial or Ethnic Data
Cookie Data	Political Opinions
RFID Tags	Sexual Orientation

Personal Data Processing

GDPR provides a definition of what constitutes processing of personal data

‘**Any operation or set of operations** which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, **use**, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.’

Article 4 GDPR

- Email communication
- Discussing a classmate in a chat room / Posting images or comments on Social Media
- Online teaching, learning and assessment, including streaming and recording of classes
- A website or application that captures and processes personal data
- A paper-based form that captures personal data

Data Protection - Importance

For individuals, data protection aims to:

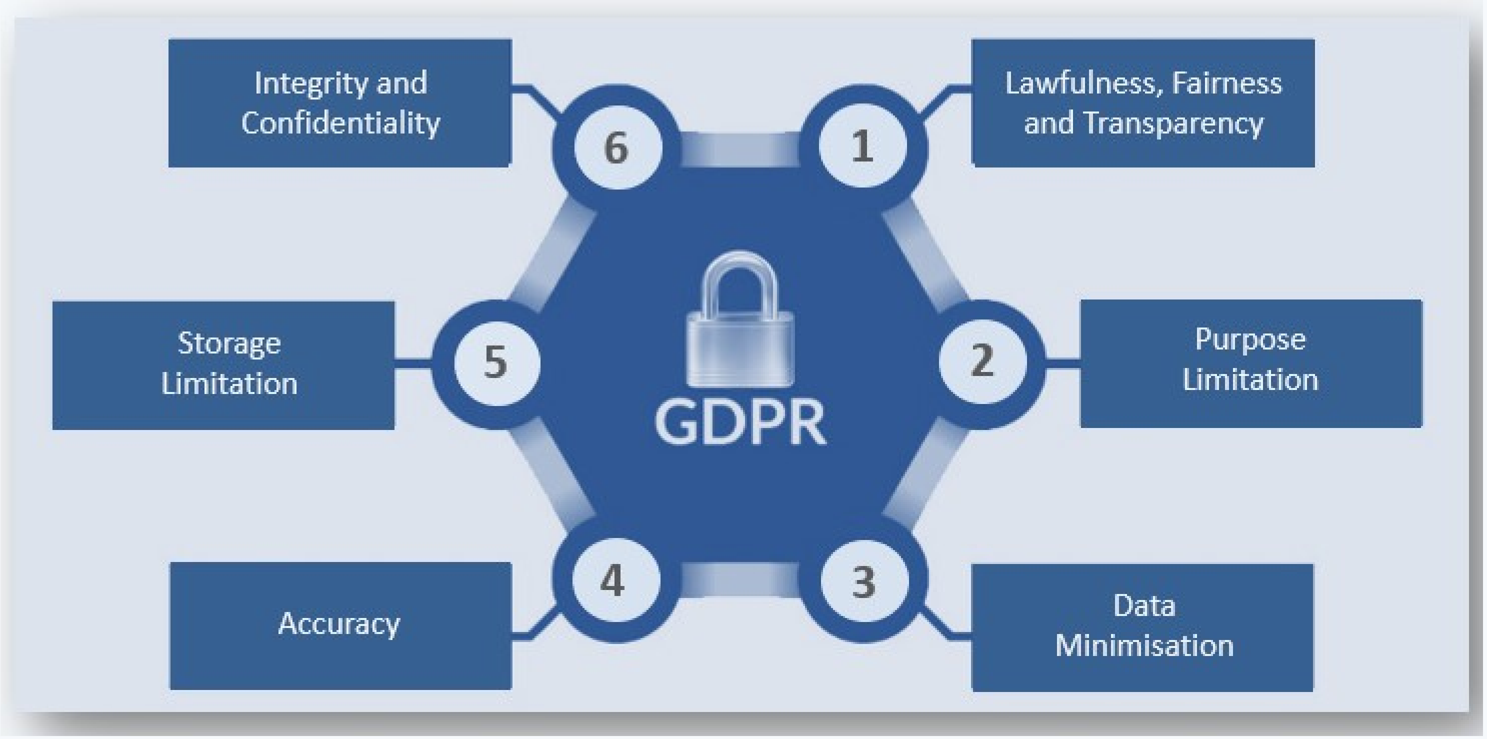
- Impact how personal data is collected, used and protected, and
- Provide greater control regarding how personal data is processed

The central aims of the legislation for organisations such as Trinity College are:

- To be fully transparent about how they are using and safeguarding personal data, and
- To be able to demonstrate accountability for data processing activities

Article 5 GDPR - Principles

Data Protection law comprises of principles that must be satisfied by organisations and individuals when processing personal data

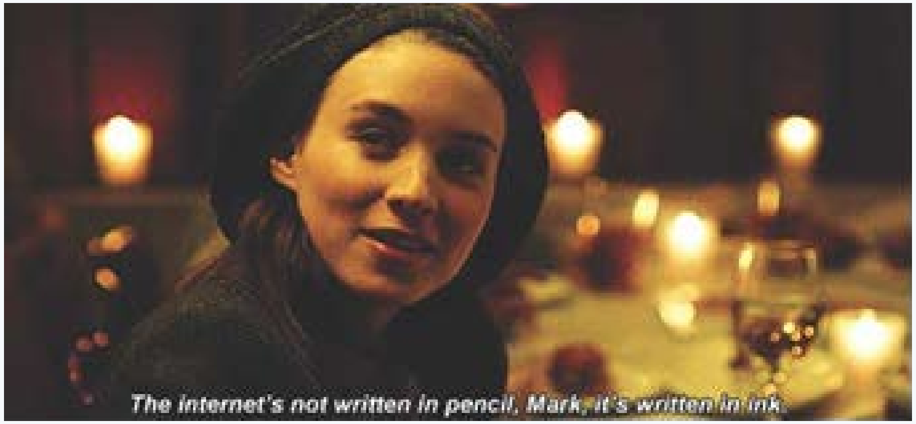


Data Protection – Good Practice

- Apply the same standards of conduct online as you are expected to apply offline
- Use common sense and common courtesy when processing personal data relating to a fellow student or staff. Ask permission to publish or disclose conversations that may be perceived as private
- Ensure that all personal data is kept secure – use passwords and trusted software only
- Use Google Drive / OneDrive for large filesharing activity. Password-protect or encrypt email attachments containing confidential personal data
- Always double-check an email address before pressing ‘send’
- Lock your PC or Mac using the “Ctrl, Alt, Delete” / “Command, Ctrl, Q” function when away from your desk
- Keep your anti-virus software up-to-date (Contact Trinity IT Services for further information)
- Stay alert for phishing scams. Avoid clicking links in posts, updates and direct messages that look suspicious
- Contact the College Data Protection Officer in the event of an incident involving personal data loss or disclosure

Data Protection – Things to avoid

- Do not write comments about other persons that are unfair or untrue and that you would not be able to defend if challenged. You must assume that anything that you write about a person will be seen by that person.
- Example: Posting derogatory comments about fellow students or staff on Social Media, Message Boards or in WhatsApp Groups. Writing emails which contain opinions about fellow students or staff.
- Never record a conversation or meeting with individuals without obtaining their consent in advance.
- Example: When using videoconferencing software, such as Microsoft Teams, Zoom, Google Hangouts etc.


The internet's not written in pencil, Mark, it's written in ink.

- Respect cultural differences between you and your colleagues.
- Example: Avoid the use of terms and language which could be regarded as crude or insensitive to individuals who come from different cultural backgrounds.

Data Protection – Things to avoid

- When disagreeing with other people's opinions, remain appropriate and polite.
- Example: If you find yourself in a discussion or situation online that looks as if it may be becoming antagonistic, do not get overly defensive or abusive. Refrain from writing statements or using language which you may regret later.
- Do not share an individual's personal data, including their image, with other individuals or the wider community without their permission. Always treat others as you would expect to be treated yourself.
- Example: Posting images or videos of staff and students on Social Media without their knowledge or permission. Always remove images from Social Media immediately if asked to do so.

Data Protection – Things to avoid

- Avoid posting messages on Social Media or in private chat groups that relate to a sensitive topic or are potentially personal in nature
- Example: Collaborating on a group project involving sensitive or potentially delicate topics.
- Do not comment or post opinions on anything related to legal matters or concerning parties involved in a dispute with fellow students or Trinity College
- Example: Allegations of plagiarism or discrimination which are being investigated by the College authorities. Complaints regarding discrimination.
- Do not share or post discriminatory, bullying, threatening, defamatory, offensive, intimidating, harassing or derogatory comments or images. All students and staff at Trinity College are bound by the College Disciplinary Procedures. Inappropriate behaviour via digital communications may constitute harassment and bullying and will be subject to sanction.

Dignity and Respect at Trinity College

- Trinity College - committed to supporting a collegiate environment for students, staff and other community members
- Expectation - develop and maintain a high degree of respect and civility in our diverse community and to participate in creating a positive environment
- College Dignity and Respect Policy
  - Roles and responsibilities
  - Sources of help and support
  - Informal and formal procedures for addressing any bullying or harassment issues that may arise
  - Mediation service
  - Employee Assistance Programme
  - Equality Officer

https://www.tcd.ie/hr/assets/pdf/dignity-and-respect.pdf

https://www.tcd.ie/equality/

Data Protection Officer

- To advise staff and students on what their responsibilities are under data protection law
- To monitor compliance with data protection law and relevant College policies
- To provide training and increase awareness among staff and students.
- To provide guidance on data protection compliance when conducting research involving personal data
- To provide guidance on the completion of Data Protection Impact Assessments
- To co-operate and act as the contact point with the Data Protection Commission in relation to complaints, investigations, audits and consultations and any other matter relevant to the legislation

College Data Protection Officer
dataprotection@tcd.ie

Data Protection Website
https://www.tcd.ie/dataprotection

Data Protection Officer - Research

The role of the Research Data Protection Officer is:

- Guidance, support and advice to research staff and students participating in research
- To support the Data Protection Officer in monitoring the implementation of controls and processes across relevant Schools to comply with GDPR
- To provide practical support to the Schools and Faculties involved in research in assessing their risks and delivering compliance
- To support researchers in the review and completion of Data Protection Impact Assessments and Risk Assessments for research projects
- To provide advice to researchers on the secure storage and retention of data including anonymisation and pseudonymisation techniques, data minimisation and appropriate technical security measures, in order to ensure a high standard of protection for personal and sensitive personal data processed by Trinity College for the purposes of research

Research Data Protection Officer
researchdpo@tcd.ie