

Privacy Notice – How we handle your personal information

The Commissioner for Public Appointments (CPA NI) - Whistleblowing Policy and Procedures

Introduction

In relation to personal information provided by you in relation to a whistleblowing concern, this Privacy Notice seeks to inform you about how and why CPA NI proposes to use it, including how we may share it.

Scope

The Privacy Notice encompasses the content of the whistleblowing concerns that you have raised with CPA NI by telephone call, email or through the post in hard copy.

Legal Basis

The processing of personal information is necessary for the performance of a task carried out in the public interest (this is one of the lawful basis required under Article 6 of the General Data Protection Regulation 2016) in pursuance of the Public Interest Disclosure (NI) Order 1998. This legislation was introduced to protect workers who wish to report a wrongdoing at work from detrimental treatment by their employer. It enables workers to make a disclosure in the public interest. While the Public Interest Disclosure (NI) Order 1998 applies to workers, CPA NI will endeavour, as far as possible, to apply the same principles in respect of concerns raised by non-staff members (for example members of the public).

The Collection of Personal Data

Personal data provided by you to CPA NI in relation to a whistleblowing concern is retained solely for the purposes of investigating the whistleblowing concern.

Concerns raised will be treated in the strictest confidence. CPA NI will apply appropriate information security standards to ensure that neither the identity of the person who has raised the concern, or any parties named in the concern, is inappropriately released into the public domain. Any personal information provided as part of your whistleblowing concern will be held securely and will only be shared

between officials on a need to know basis, solely for the purpose of investigating the concern that you have raised.

Whistleblowing Form (to be completed by staff or the general public when raising a Whistleblowing Concern)

When a whistleblowing concern is reported to CPA NI, a pro-forma will be completed to capture the key facts of the concern. When completing this form we collect the following personal information about you:

- Name;
- Address;
- Telephone number; and
- Email address.

We will only use this information to contact you about your concern and it will not be shared for any other purpose. Similarly, if you notify CPA NI of a whistleblowing concern by telephone call or by post, we will retain any personal information provided solely for the purpose of managing the whistleblowing concern.

If you have raised your concern in confidence, your confidentiality will be protected as far as possible. However, it may not always be possible to maintain confidentiality. As any investigation progresses, there may be a legal requirement to disclose the identity of the person raising the concern, for example, under court disclosure rules. In such circumstances, we will ensure that you are consulted with and, if necessary, your informed consent obtained.

Your rights

You have certain rights in relation to the personal information that we collect about you. These include:

- **The right to be informed** - Organisations must be completely transparent in how they are using personal data;

- **The right of access** - Individuals will have the right to know exactly what information is held about them and how it is processed;
- **The right of rectification** - Individuals will be entitled to have personal data rectified if it is inaccurate or incomplete;
- **The right to erasure** – Also known as the ‘right to be forgotten’, which means that an individual can request the removal of their personal data when there is no compelling justification for its continued processing by a ‘data controller’;
- **The right to object** - In certain circumstances, individuals are entitled to object to their personal data being used. This includes, if a company uses personal data for the purpose of direct marketing, scientific and historical research, or for the performance of a task in the public interest.

Should you wish to retract the concern raised, CPA NI will still have a duty to investigate it.

It will always be assumed that concerns have been raised in good faith, unless there is evidence to the contrary. If it becomes apparent that an accusation was deliberately false, or vexatious, and not due to a misunderstanding or genuine mistake, it will be treated as a serious matter which may result in disciplinary action (in the case of CPA NI staff who raise the concern).

Retention of Personal Information

The information you provide will be held for 7 years in accordance with CPA NI’s retention and disposal schedule.

Complaints

In the event that you are unhappy with how your personal data is processed, you can raise your concerns with,

Patrick Longmore
Annexe B Dundonald House
Stormont Estate
Belfast
BT4 3B
E-mail: info@publicappointmentsni.org
Tel: 028 905 24820

Should you remain unhappy following the Data Protection Officer's response, you have the right to lodge a complaint with the Information Commissioner (the Data Protection regulator) at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Email: casework@ico.org.uk

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

Changes to the Privacy Notice

The Privacy Notice will be reviewed on an annual basis to take account of changes to CPA NI's operations or practices and to make sure it remains appropriate. Any personal information held will be governed by the most current Privacy Notice.