



Fáilte Ireland
National Tourism Development Authority

Frequently Asked Questions

Do I need to make a Personal Data Access request to get my personal information from Fáilte Ireland?

Yes. Under Article 15 of the General Data Protection Regulations (GDPR), you have a right to find out, free of charge, if a person (an individual or an organisation) holds information about you. You also have a right to be given a description of the information and to be told the purpose(s) for holding your information.

What rights do you have to see what personal data an organisation holds about you?

Under Article 15 of the General Data Protection Regulations anyone has the right to find out

- (i) if Fáilte Ireland holds personal data about you and, if we do,
- (ii) to apply for a copy of their personal data.

You can make an application to receive a copy of your personal data.

What does Act entitle an individual to?

The Acts entitles you to make a formal application to receive any personal data that Fáilte Ireland, holds about you.

What is the procedure for making an application?

Applications must be made in using this online form or in writing and should be addressed to DPO, Fáilte Ireland, 88-95 Amiens Street Dublin 1. Or emailed to dpo@failtelreland.ie. You should keep a copy of the request letter and the date it was sent.

By making a request via this form email or online you will received the information back via email.

By making a request via post you will receive the information via post.

Does an email count as a written request?

Yes, email is also a valid form when making a Subject Access Request. Again, you should keep a copy of the email and the date it was sent.

How long does it take?

Under the Act, Fáilte Ireland has one month from the date it receives a request to respond with confirmation and a description of the personal data they hold.

Is there a fee?

No. normally there is no fee for this request.

Please note:- Where the request is regarded as manifestly unfounded or excessive a reasonable charge will be made taking into account of the administration costs of providing the information.

List of fees for manifestly unfounded or excessive requests

- ***Search and Retrieval – €20 per hour (for requests that exceed the €100 minimum in terms of search, retrieval and copying), subject to the ceilings mentioned above.***
- ***€0.04 per sheet for a photocopy including duplicate copies***

Are there any conditions?

The personal data sought must be stored electronically or, for paper records, as part of a structured manual filing system which allows the relevant records to be easily identified.

How to make the process faster?

- You should include any details that will help the organisation locate their personal data, e.g. staff ID numbers, the date-range of the data.
- As much information as possible about the personal data being sought.
- You may be asked to provide appropriate identification
- Details of the format in which you wish to receive any records released (e.g. photocopies etc)

Can an individual access personal data on someone else's behalf?

In some instances, yes. If, for example, a solicitor is making a request on behalf of their client then the request can be complied with, with signed authorisation from their client. In general, an individual can only make an Access Request for their own personal data.

Can an individual access data about the deceased under the Data Protection Act?

No, under the Acts, the right to data privacy only applies to living persons.

CCTV and personal data. Do Access Rights extend to CCTV footage?

Yes. CCTV footage which contains an individual's image is personal data. Access to CCTV footage can be sought by making a written application, as outlined in 'Section 4 – Applying for access to a copy of your personal data.'

How to make the process faster?

Please include any details that will help us locate the personal data sought. In the case of CCTV footage, provide details of the relevant dates and times. Are there any additional circumstances that would prevent an individual from seeing or obtaining a copy of their personal data on CCTV?

Copies of personal data gathered by CCTV can be released in two forms: - A video copy of the footage. - Still images (photos) taken from the camera. Where still images are provided, they should be at a rate of one photograph per second of video.

If the CCTV footage includes images of other people, their images may be pixilated or otherwise blanked out. Access Requests under the Acts entitle individuals to access their own data; images of other people would be considered third-party data. If everyone who appears in the video or photographs agrees to it, the images can be provided without restriction.

Is there any reason why I can't receive my data?

Fáilte Ireland has some grounds for refusing to grant an access request, such as where a request is deemed manifestly unfounded or excessive. However, we have clear refusal policies and procedures in place, and demonstrate why the request meets these criteria. The Act states that we cannot give you your data if:-

- Data kept for the purpose of preventing, detecting or investigating offences.
- Data consisting of an estimate or kept for the purpose of estimating liability in respect of a claim.
- Legal professional privilege
- Health Data



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If I find out that the personal data that Fáilte Ireland is incorrect. Can I have it removed or amended?

Yes, when you receive the data from Fáilte Ireland and you would like it to be removed or Amended from our records, you can do this in writing to

dataprotection@failteireland.ie

or

Data Protection Officer, Fáilte Ireland, Unit 2 Nessian House,
Riverview Business Park, Bessboro Road, Blackrock, Cork T12 R8HE , Ireland

Making a complaint to the data protection commissioner (DPC)

When can an individual make a complaint to the DPC?

If Fáilte Ireland refuses, ignores or delays dealing with an access request without a legitimate reason, an individual can make a complaint to the Commissioner.

If Fáilte Ireland refuses to correct, delete, or otherwise secure an individual's personal data in response to a request, the individual can make a complaint to the

How is a complaint made?

1. Complaints to the DPC must be in writing.
2. Complaint letters or emails should contain the name of the organisation the complaint is against,
3. the steps they have taken to have their concerns dealt with prior to making the complaint,
4. details of any response(s) the individual received from the organisation,
5. as well as copies of any letters or emails exchanged between the individual and the organisation.

Where complaints to the DPC should be sent?

Written complaints should be addressed to: -

**The Data Protection Commissioner, Canal House, Station Road, Portarlinton, Co. Laois -
info@dataprotection.ie**

Does the DPC award compensation?

- No, the DPC does not award compensation.

Can I get help in making a request?

Yes. If you need help preparing your Personal Data Access Request, the staff in the GDPR Unit will be happy to assist you.

You can contact us at: 0818 888800

or

Data Protection Officer, Fáilte Ireland, Unit 2 Nessel House,
Riverview Business Park, Bessboro Road, Blackrock, Cork T12 R8HE , Ireland

Other sources of information

The Data Protection Commission is responsible for the Governance of the General Data Protection Regulations (GDPR). Information about this legislation and Subject Access Request is available on <https://www.dataprotection.ie/docs/Accessing-Your-Personal-Information/r/14.htm> and <https://www.dataprotection.ie/docs/Home/4.htm> .

Further information can be found on <http://gdprandyou.ie/>