

Galway Regional Marriage Tribunal Privacy & Data Protection Policy

Who we are:

Galway Regional Marriage Tribunal,
7 Waterside,
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Galway City,
Ireland.

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Galway Regional Marriage Tribunal, hereinafter referred to as the Tribunal, under the moderatorship of Bishop of Galway, Kilmacduagh & Kilfenora, is committed to protecting your privacy. The Tribunal serves the following Dioceses: Galway, Kilmacduagh & Kilfenora, Achonry, Ardagh & Clonmacnois, Clonfert, Elphin, Killala, Killaloe and the Archdiocese of Tuam.

Information submitted to the Tribunal will be used to process the application for a declaration of nullity according to the principles and canons laid out in the Roman Catholic Church's Code of Canon Law (1983), and to record information concerning the outcome of such an application.

This Privacy Policy explains our data processing practices and your options regarding the ways in which your personal data is used. This Privacy Policy is reflective of our compliance with Data Protection legislation in Ireland as at May 2018, to include the European GDPR and the Data Protection Acts 1988-2018.

The Tribunal understands **personal data** as any information relating to an identified or identifiable natural person.

The Tribunal understands **data processing** as any activity undertaken involving interaction with a data subject's personal data.

The Tribunal understands a **data subject** as the natural person whose personal data is being collected, held or processed.

Our Data Protection Officer

The Data Protection Officer can be contacted at dpo@elphindiocese.ie.

Data Protection Principles

We promise to follow the following data protection principles:

- Processing is lawful, fair, transparent. Our Processing activities have lawful grounds. We always consider your rights as a Data Subject before processing Personal Data. We will provide you information regarding Processing upon request.
- Processing is limited to the purpose for which it was gathered.
- Processing is carried out using the minimum amount of Personal Data required for any purpose.
- We will not store your personal data for longer than needed.
- We will do our best to ensure the accuracy of data.
- We will do our best to ensure the integrity and confidentiality of data.
- We will use all reasonable means to avoid Breaches of Data. Where a Data Breach occurs, we will notify the relevant authority and follow their instructed next steps.

Data subject's rights:

Those affected by this privacy policy have the following rights:

- Right to access: the right to request, access and copy of the personal information that we hold on you. We may charge a reasonable fee for 2 or more personal data requests. A single copy of personal data will be charged at no cost. Any access requests will need to be requested in writing or email. Evidence of identification will be required as this makes sure that the personal information is not given to the wrong person. Information will be sent within 1 month of receipt of the written request insofar as is reasonably possible.
- Right to rectification: the right to have personal data rectified if it's incorrect, out of date or incomplete.
- Right to be forgotten: the right to withdraw consent given to process data and the right to request that we delete personal data from our System (subject to compliance with legal obligations or unless the data is required for any legal claims).
- The right to object how we use the personal data received.

Please note that these rights are also subject to certain exceptions under the Data Protection Acts 1988 – 2018 and GDPR.

How we process Personal Data

Information shared by Parties and Witnesses during the Tribunal process will be treated with **respect** and **confidentiality**. However, we will disclose Personal Data if it is believed in good faith that we are required to disclose it in order to comply with any applicable law, a summons, a search warrant, a court or regulatory order, or other statutory requirement.

Furthermore, where information is brought to the attention of the Tribunal concerning child sex abuse, where an identified individual may pose a threat to children, the Designated Tribunal Officer for Safeguarding will be given the identified name/relationship or status and/or alleged victim's name with the contact details of the person who has given the information. The Designated Tribunal Officer for Safeguarding will in turn pass on the information to the relevant statutory authorities. Where Church personnel are involved, the information will also be given to the relevant Church authority. This is in keeping with

Tribunal Policy and the Catholic Church's Policy - Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland.

Any data processed on our behalf by contracted third party service providers, e.g. for the purpose of compiling professional reports will be bound by the same privacy standards. We will not disclose Personal Data to any other third parties unless we have consent to do so.

Retention of Personal Data

Where a decree of nullity has been issued and provided and all procedural matters have been completed:

- All electronic files are to be deleted three months after the decree of nullity has been issued, unless there is a case of recourse to the National Marriage Appeal Tribunal of Ireland or the Roman Rota mentioned. If the possibility of such recourse exists, the Judicial Vicar or Presiding Judge should decide whether there is any utility in preserving these acts in electronic form.
- All remaining expert reports in any form to be destroyed after three months unless the possibility of recourse has been raised.
- Twenty years after the decrees have been sent to the parties, the hard copies of the act are to be reduced so that only the original petition, sentence(s), decree of ratification, decree of nullity and other public documents are retained. A brief summary of the financial record of the case is to be kept.
- If it has been confirmed that at least one party to the marriage has deceased, the acts shall be destroyed apart from the petition, sentences and decree of nullity and the record of costs.

After two conforming sentences have decreed that the nullity of the marriage is not proven or after a negative sentence in 1st instance has not been appealed:

- Acts in electronic form are to be deleted one year after the last decision provided they are kept in hard form. In the event that no hard copy exists of a particular document, a hard copy is to be made by printing and then the electronic version destroyed.
- The acts of the case (statements of parties and witnesses and reports) and any public documents and any essential documents from the procedural acts (e.g. citation, publication of the acts, etc.) are to be retained for 40 years. All other acts and correspondence may be destroyed unless some just cause suggests a document be kept.
- If it is confirmed that at least one party to the marriage has deceased, the acts shall be destroyed apart from the petition and sentences.

Where a Decree of Nullity has not been issued, nor has there been two conforming negative sentences, and where all procedural matters have not been completed:

- Letters of application, fact forms, statements of parties and witnesses, citations and final note of contact to be retained. All else to be removed and destroyed unless the particular nature of the document renders retention necessary.
- The Presiding Judge or Judicial Vicar should be consulted in relation to any data in electronic form.

Subject Access Requests

Subject Access Requests must be received in writing. Insofar as is reasonably possible, a SAR is completed at no cost to the Data Subject, within one month of receipt. Certain exceptions will apply, whereby the Tribunal may not be required or legally permitted to release certain data. Reasonable means should be used to verify the identity of a data subject submitting a SAR.

Changes to this Policy

We reserve the right to make changes to this Privacy Policy.