

**Raburski Massage**  
**Data Protection Policy**

**Version 1**  
22 May 2018

## Table of Contents

1.	Introduction .....	3
2.	Scope.....	4
3.	Responsibility for this policy .....	5
4.	Data protection principles .....	6
5.	Rights of Individuals whose data is collected.....	8
6.	Responsibilities of Raburski Massage .....	10
7.	The Data Protection Officer’s responsibilities.....	12
7.	Responsibilities of staff and similar parties .....	13
8.	Who to contact if you have queries about the data protection policy .....	14
9.	Version control.....	15



## 1. Introduction

Daniel Raburski T/A Raburski Massage is an ITEC\* trained Body Works Massage Therapist.

Raburski Massage operates as a sole trader specialising in Holistic Body Massage, Sports Massage (level 3) and Swedish Relaxation Massage on location in South Dublin or by providing a call out service to your place of work or living.

*\*ITEC provides leading international qualifications, specialising in Beauty & Spa Therapy, Hairdressing, Complementary Therapies, Sports & Fitness Training and Customer Service. (Source: [www.itecworld.co.uk](http://www.itecworld.co.uk))*

The data protection legislation confers rights on individuals as well as responsibilities on anyone processing personal data. This policy sets out how Raburski Massage seeks to process personal data and ensure that staff members understand the rules governing their use of personal data to which they have access in the course of their work.

The EU General Data Protection Regulation (GDPR EU 2016/679) replaces the Data Protection Directive 95/46/EC and was designed to harmonize data privacy laws across Europe, to protect and empower all EU citizens' data privacy and to reshape the way organisations across the region approach data privacy. The GDPR will be enforced from 25 May 2018.

## 2. Scope

This policy applies to all Raburski Massages personal data processing functions in relation to identified or identifiable natural persons.

Personal data is defined as 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 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.

Special categories of personal data are defined as personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Processing is defined as 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.

### **3. Responsibility for this policy**

Raburski Massage is committed to compliance with all relevant EU and Irish laws in respect of personal data, and the protection of the rights and freedoms of individuals whose information Raburski Massage collects and may process.

Daniel Raburski, T/A Raburski Massage will be accountable for being able to demonstrate that this policy has been implemented.

All members of staff have a responsibility to comply with Raburski Massage data protection policies and accepted best practice.

This policy will be reviewed on an annual basis at the very least. Updates to this policy and associated privacy notices will be made available on [www.raburskimassage.com](http://www.raburskimassage.com)

## 4. Data protection principles

All processing of personal data must be conducted in accordance with the data protection principles set out in relevant legislation. Raburski Massage's policies and procedures are designed to ensure compliance with the following principles:

- **Personal data must be processed lawfully, fairly and transparently**

**Lawful** – the legal basis for processing personal data is normally based on relevant legislation. Raburski Massage may collect personal data based on the consent of the data subject, or based on contract.

**Fairly** – in order for processing to be fair, Raburski Massage has to make certain information available to data subjects. This applies whether the personal data was obtained directly from the data subjects or from other sources. Raburski Massage will maintain Data Protection Notices to inform data subjects of its data practices.

**Transparently** – Raburski Massage will provide information to data subjects through Data Protection Notices. Raburski Massage will ensure that the information provided is detailed and specific, and that such notices are understandable and accessible.

- **Personal data can only be collected for specific, explicit and legitimate purposes**

Raburski Massage will process personal data only for the purposes for which it is collected. Raburski Massage staff members must be alert to requests for processing of personal data for purposes for which it was not collected, no matter how related the processing may appear.

- **Personal data must be adequate, relevant and limited to what is necessary for processing (data minimisation)**

Raburski Massage will ensure that in designing new methods of data collection, whether online, through forms or at a consultation, that only the personal data required to identify the data subject(s) and provide the service will be processed. Data will be collected in line with Complimentary Therapies and Personal Health industry best practice. Raburski Massages's Data Protection Notices will also request the data subject to only provide the minimum amount of data required for the provision of the body work therapy.

- **Personal data must be accurate and kept up to date with every effort to erase or rectify without delay**

All data subjects have a right to ensure that their data is accurate and complete. Raburski Massage will ensure that reasonable steps are taken to update personal data where new data has been provided.

- **Personal data must be kept in a form such that the data subject can be identified only as long as is necessary for processing**

Raburski Massage will implement appropriate policies and procedures to ensure that personal data is retained only for reasonable periods. Retention periods may be implemented by destroying the personal data, through anonymisation or through any other appropriate method.

- **Personal data must be processed in a manner that ensures appropriate security**

Raburski Massage has implemented and will continue to develop technical and organisational measures to ensure that appropriate security for the processing of personal data is implemented.

- **Accountability for demonstrating compliance**

Raburski Massage will ensure that it maintains adequate records of its processing of personal data. The Data Protection Officer will be responsible for maintaining these records.

## 5. Rights of Individuals whose data is collected

Raburski Massage will continue to design and maintain appropriate policies, procedures and training to implement the data rights of data subjects.

- **Right of access by the data subject**

Raburski Massage has developed a protocol to ensure that requests from data subjects for access to their personal data will be identified and fulfilled in accordance with the legislation.

- **Right to rectification**

Raburski Massage is committed to holding accurate data about data subjects and will ensure that reasonable steps are taken to rectify data where inaccuracies have been identified by data subjects.

- **Right to erasure (right to be forgotten)**

Where Raburski Massage receives requests from data subjects looking to exercise their right of erasure then Raburski Massage will carry out an assessment of whether the data can be erased in the context of the processing required. Raburski Massage will consider the request in the context of which it was asked and inform the data subject regularly to ensure compliance with the law. Each case will be assessed on its own merits.

- **Right to restriction of processing**

Raburski Massage will assess whether a data subject's request to restrict the processing of their data can be implemented. Where the request for restriction of processing is carried out, Raburski Massage will write to the data subject to confirm the restriction has been implemented.

- **Right to data portability**

Where Raburski Massage has collected personal data electronically, data subjects have a right to receive the data in electronic format to give to another data controller. It is expected that this right will only be relevant to a small number of data subjects.

- **Right to object (Art.21)**

Data subjects have a right to object to the processing of their personal data in specific circumstances. Where such an objection is received, Raburski Massage will assess each case on its merits.



- **Right not to be subject to automated decision making (Art.22)**

Data subjects have the right not to be subject to a decision based solely on automated processing, where such decisions would have a legal or significant effect concerning him or her.

Raburski Massage envisage that automated decision making would only take place in the placement of advertising through social media. This would be done so that accurate, timely and specific advertising would be served to a group of current and perspective clients with similar or specific interests.

- **Right to complain**

Raburski Massage will notify data subjects in Data Protection Notices that they can contact the Data Protection Officer to make a complaint. The Data Protection Officer will work with the data subject to bring the complaint to a satisfactory conclusion for both parties. The data subject will also be informed of their right to bring their complaint to the Data Protection Commissioner and their contact details.

## 6. Responsibilities of Raburski Massage

Raburski Massage has responsibility for the following:

- **Ensuring appropriate technical and organisational measures**

Raburski Massage has implemented and will continue to develop technical and organisational measures to ensure and be able to evidence that it protected personal data.

- **Maintaining a record of data processing**

Raburski Massage will maintain a record of its data processing activities.

- **Implementing appropriate agreements with third parties**

Raburski Massage does not envisage sharing information with any third parties at time of writing this policy.

- **Transfers of personal data outside of the European Economic Area**

Raburski Massage will not transfer the personal data of its data subjects outside of the European Economic Area unless an adequate level of protection is ensured.

- **Data protection by design and by default**

Raburski Massage will implement processes, prior to the time of determining the means of processing as well as when actually processing, to implement appropriate technical and organisational measures to apply the data protection principles set out in Section 4 and integrate necessary safeguards into the processing to meet GDPR requirements.

- **Data protection impact assessments**

Raburski Massage will conduct a data protection impact assessment where new processing, in particular through the use of new technologies, is envisaged.

- **Personal data breaches**

Raburski Massage defines a 'personal data breach' as meaning a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed.

Raburski Massage has developed and will maintain a protocol for dealing with personal data breaches.



- **Governance**

Raburski Massage will review GDPR compliance on an annual basis at the very least. Updates to policies and notices will be made available on [www.raburskimassage.com](http://www.raburskimassage.com)

## 7. The Data Protection Officer's responsibilities

Daniel Raburski, as the owner and founder of Raburski Massage is the Data Protection Officer. The responsibilities of the Data Protection Officer include the following:

- Keeping staff members updated about data protection responsibilities, risks and issues
- Acting as an advocate for data protection within the organisation
- Monitoring compliance with the relevant data protection legislation
- Monitoring that data protection policies and policies are reviewed and updated on a regular basis
- Providing advice where requested in relation to data protection impact assessments and monitoring that such assessments are completed to an appropriate standard
- Providing advice on data protection matters to staff.
- Responding to individuals such as clients and employees who wish to know what data is being held on them by Raburski Massage
- Monitoring that appropriate data processing agreements are put in place with third parties that handle Raburski Massage's data and ensuring that reviews are carried out of third parties on a regular basis
- Ensuring that the record of data processing is updated regularly
- Acting as a contact point and providing cooperation with the Data Protection Commissioner

## 7. Responsibilities of staff and similar parties

Anyone who processes personal data on behalf of Raburski Massage has a responsibility to comply with this data protection policy.

- **Training and awareness**

All current staff members and new members will have access to the data protection principles and responsibilities contained in the GDPR. New joiners will receive training on the policies, practices and notices as part of the induction process.

- **Consequences of failing to comply**

Raburski Massage takes compliance with this policy very seriously. The importance of this policy means that where staff members fail to comply with any requirement of the policy, this may lead to disciplinary action.



## **8. Who to contact if you have queries about the data protection policy**

Raburski Massage's Data Protection Officer can respond to queries about this policy:

Daniel Raburski

Raburski Massage Owner

[Daniel@raburskimassage.com](mailto:Daniel@raburskimassage.com)

## 9. Version control

Version	Date	Changes made by	Change Description
V1.0	22 May 2018	Bobby Barbour	First draft.
V1.1	12 July 2020	Bobby Barbour	Updated logo for Raburski Massage

- END -