

Personal Data Policy - ActionAid Denmark

Endorsement: May 24th, 2018, by AADK Secretary General and the Director of Operations

Reviewed: October 20th, 2019, by AADK Head of PSD (technical change regarding photos and salary information)

Introduction

The Personal Data Policy (referred as the Policy) is organised in two parts: The first part is about your rights as a AADK staff member, volunteer, consultant or intern (referred to as You) with regard to how AADK manages your Personal Data. The second part is about Staff obligations in processing the Personal Data of others (beneficiaries, members, course participants, activists and the like – referred to as Others).

The Policy presents the way AADK processes Yours and Other's Personal Data and how long we keep them. You should contact HR if there is something you disagree with in this Policy. You can always find the Policy on inSight/Staff Policies.

The main framework for this Policy is the European General Data Protection Regulation (EU) 2016/679 of 27th April 2016 (GDPR) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation), and the Danish complementation and implementation of the regulation: "Databeskyttelsesloven".

The Head of People & System Development is responsible to the implementation, the maintenance and review of the Policy as well as the efforts to ensure that AADK is compliant with the GDPR and coming law.

All questions about the Policy as well as all suspicion or observation of breach of the Policy or the law should immediately be addressed to the Head of People & System Development at databreach@ms.dk.

Definitions

Staff	Everyone who is employed at AADK or who works as volunteer, consultant or intern with and for AADK, also mentioned as You.
Other	Members, beneficiaries, customers, activists, non-staff travellers and course participants. You can read more about how we process personal data about external stakeholder in our privacy policy.
Personal Data	All kind of information upon a person or an identifiable person. That means all information which alone or combined can lead to the identification of a physical person.
Data Controller	The physical or legal identity, authority, institution or other organisation which alone or together with other defines the purpose and the mean for gathering Personal Data.
Data Processor	The physical or legal identity, authority, institution or other organisation which manages Personal Data on behalf of the Data Controller.
Processing	Every operation which is performed on Personal Data 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.
Special Categories of Personal Data	Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or 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
Organisation	ActionAid Denmark, also mentioned as We or AADK.
GDPR	European General Data Protection Regulation 2016/679 of 27 th April 2016.

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Part 1 – Processing of Personal Data of People Working for or at ActionAid (You)

1 Field of Application

This part of the Policy is applicable for all kinds of Personal Data You give us or we gather about You either in relation to your employment or your engagement in AADK, for example as volunteer or intern.

2 Purpose for which we Process Your Personal Data

When we process Your personal data, it is to:

- Make the final decision regarding our cooperation with you
- Establish and manage your contract incl. placement in our salary scale
- Administrate your insurance and pension
- Pay your salary and income taxes
- Administrate Gross Salary Arrangements if any
- Manage absences and vacation in compliance with law and agreements
- Manage access to our systems and ActionAid systems, some of which are placed outside of the EU
- Support and administrate your skills & career development
- Enhance cooperation across the organisation and performance
- Enhance social relations and job satisfaction
- Administrate lunch arrangement
- Administrate staff statistic and report to AADK and AAI boards
- Support work permit application if necessary
- Manage crisis if it should happen
- Manage ActionAid Denmark resource which includes plans, budget, follow-up and reporting

3 Your Personal Data Managed by AADK

3.1.1 Personal Data

The information we collect directly from You when you start is your name, birthday, gender, private contact information, information about next of kind and, for employees, civil registration number (CPR-nr.), bank information, information about children, education and career.

We may ask for a profile photo or descriptions of work behaviour (by filling out a personal profile and through interviews); We may also ask for civil information and a copy of Your passport if you are posted abroad or posted in Denmark but not living in Denmark. And We ask for a criminal report if you will work with or close to children.

As long as you have a work relationship with AADK, We manage information about salary, activities, absence, performance, skills and professional interests.

During the recruitment process of employees, we may retrieve references from former employers and colleagues, and gather information about Your behaviour in work situations (work and decision styles and preferences, social and professional contributions in groups, behaviour in critical situations or under pressure, gender and intercultural sensitivity). AADK does not contact references without your Consent.

3.1.2 Special Categories of Personal Data that we only process with Your Consent

Your staff representative may gather information about your union membership.

AADK may gather health information in case of long-term illness or other special circumstances that requires us to adapt your work conditions; or if you have allergies or specific nutritional needs.

AADK runs regular job satisfaction assessments, feedback processes and surveys, and We may gather some personal comments which can sometimes be considered as

Special Categories of Personal Data. You may always decide to participate or not without further consequences regarding your employment at AADK, and surveys are always anonymous (generally, only the system can identify you to administrate response rate).

We may also ask you about other Special Categories of Personal Data like sexual orientation and ethnic origin; in this case it will be totally anonymous, and it will never be possible to link your answers to You. That information is necessary to monitor the implementation of our Diversity Policy.

4 Reasons for Processing Your Personal Data

When you decide to work as Staff at AADK, You enter into an agreement with us. To fulfil our part of the agreement, we need to process Your Personal Data.

Before we enter into an agreement, We manage Your information about gender to monitor the implementation of our Gender Policy, name to administrate the recruitment process, and education and career to identify the best match during the selection process and to qualify Our decision. And We gather and process the necessary Personal Data to form a contract.

The legal basis for managing Your Personal Data is the GDPR art. 6.1.b: Contractual basis to gather and process Personal Data.

In accordance with the GDPR art. 6.2.f, AADK can also gather some of Your Personal Data in relation to our mutual engagement because we have a legitimate interest to manage such information, unless Your right to protect such information overrides our legitimate interest. Among the data gathered in relation to our mutual engagement, information such salary, skills, performance and professional interests are usually shared within the organisation in relation to planning, budgeting, follow-up and reporting. We process Personal Data about Your work references; your profile photo and your private phone number for internal use; Your and your next of kin's e-mail and private phone number for safety reasons; name and birthday of your children under 18 years to administrate related absences; your name to be published on our staff list on our home page; Personal Data to be used for a statistical and reporting purpose or to improve our work environment; Your Personal data (including Your login activity) in accordance with the AADK IT Security or Personnel Policies & Procedures incl. AADK Security Main Frame¹.

AADK is legally required to process and store Your employment contract and data regarding Your salary due to the Danish Bookkeeping Act and the European Commission's documentation requirements (for people working on projects funded by EC). Furthermore, We are legally required in accordance with the Danish Tax Act to report your income and other benefits incl. your civil registration number (CPR-nr.) to Tax Authorities. Finally, it is a legal requirement to check child abuse record for people working close to or with children.

Your health information is a Special Category of Personal Data that We will only process with your explicit Consent, generally to adapt work conditions to your health situation, as defined by the GDPR art. 9.2.a. Likewise, We will only use your profile photo outside of AADK (incl. in your mail signature) with Your Consent.

Processing information about Your union membership (another Special Category of Personal Data) by your staff representative aims to let her/him to maintain your rights, which is in accordance with the GDPR art.9.2.b.

5 Sharing of Your Personal Data

We share your salary master data (civil identification number, name, birthday, address, bank information, position, salary parts and benefits, absence, tax information) with our payroll supplier.

We share your master data and salary information with our Pension, Insurance and related Broker companies, so they can establish a direct relation to You. We may also communicate your private phone number to our Travel agency for safety reasons. All these companies are Data Owner (and not Data Processor).

We also share some of Your Personal Data when we manage Your Information within IT systems hosted, delivered or supported by a third party.

¹ AADK Security Main Frame is about people health and security and is available on inSight under [Main frame for our security](#)

AADK shares only the Personal Data about You that is necessary for our partners to fulfil their agreement with us; or that is necessary to ensure well-functioning systems. Our suppliers' access to Your Personal Data is limited to the strict necessary to fulfil their tasks. In all cases, these suppliers have engaged a Data Processor Agreement with AADK to ensure that the present Policy is respected.

We may share Your Information with our lawyer or some external consultants with a binding Confidentiality Statement including same limits and requirements as mentioned above.

Lastly, we share Your Personal Data with the authorities and auditors in the extent required by laws and regulations (like the Danish Bookkeeping and Tax Acts or the European Commission's documentation requirements).

6 Sharing Your Personal Data outside of the EU

We may share Your Personal Data (name, birthday and work position) with ActionAid International to ensure that you are covered by travel insurance during your duty travels. Furthermore, AADK shares your IT account information and work position with ActionAid.

We are participating with ActionAid International in a binding Intra Group Data Transfer Agreement that aims to secure Your Personal Data in accordance to the GDPR. You can read this agreement on [inSight/Personal Data Management](#).

We may also share Your Personal Data (name, birthday, work position, qualification, private home address and email; and salary information if you are posted at TCDC) with TCDC, our training center in Arusha/Tanzania to administrate Your stay and manage security and safety efforts. Furthermore, AADK shares your IT account information and work position with TCDC. We are participating with TCDC in a binding Intra Group Data Transfer Agreement that aims to secure Your Personal Data in accordance to the GDPR. You can read this agreement on [inSight/Personal Data Management](#).

7 Storage and Deletion of Personal Data

Staff Personal Data are stored in:

- Planday for Volunteers who do not require access to AADK IT system
- HR-Manager system or closed OneDrive folders during the recruitment process
- HR-software (CUBES) for staff requiring access to AADK IT systems (e.g. mail address) and all paid staff.

Only qualified and selected staff members have access to Your information: HR staff for all HR matters, Volunteers' coordinators for coordination purposes and Line Managers for their own staff.

In Planday Volunteers can delete their own information. If a volunteer has not taken a shift in 12 months, their profile is deactivated and then deleted afterwards.

In HR Manager, all Your Personal Data is deleted after 4 months if You do not actively give Your Consent to prolong this period.

AADK HR software, CUBES, deletes or anonymizes automatically:

- Sixth month after the date of Your end of contract, for All Your Personal Data that allow one to identify You as a unique physical person (but Your salary number, contract and our background for any payment will still be accessible by advanced query in the system, based on your employee number). This delay makes it possible to reactivate Your profile if you begin employment at AADK or require some information registered in our system within a six-month's period (something which happens sometimes).
- 8 years plus the period until June after Your departure from AADK we will delete Your salary number, contract, details regarding Your salary and other background information related to payments to You, as is legally required as documentation to the auditors.

Some of your Personal Data (like skills development activities) are stored in Excel in the HR closed folder until May the year after they have been recorded to ensure statistic and reporting.

Warning letters and health information are deleted as soon as the case is closed or in accordance with the Consent.

Our assessments are usually done using Analyzer. Your Personal Data are automatically anonymized as soon as the assessment is closed.

In case AADK has requested a child abuse record, it will be deleted as soon as it has been checked.

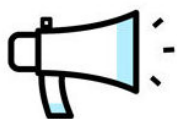
In all other AADK IT systems incl. mail system, your Identification will be deleted after:

- 1 month, if You are temporary Staff
- 3 months, if You are regular Staff
- 6 months, if You have a management position, had a key position or have been system owner

Before your departure, You must activate an automatic e-mail reply which redirects the sender of professional mails to your manager or a colleague; and private mails to your own e-mail address. Your mail box can exceptionally be accessed with the authorization of the Head of People & System Development by IT-staff who are committed to not look into private mails.

AADK may implement organisation wide automatic deletion processes, which identifies and deletes e-mails, documents and other content containing Other's Personal Data.

8 Your Rights



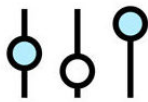
The Right to Be Informed

Individuals have a right to know who is processing their personal data



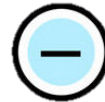
The Right to Access

Individuals have the right to access any personal data that has been collected about them



The Right to Rectifications

Individuals have the right to require organizations to correct inaccurate personal data



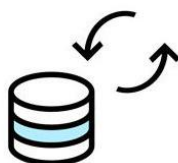
The Right to Be Forgotten

Individuals have the right to have their personal data deleted and to prevent further collection



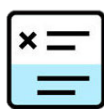
The Right to Restrict Processing

Individuals have the right to require organisations to restrict the processing of specific categories of personal data



The Right to Data Portability

Individuals have the right to require organisations to transfer personal data to a recipient of their choice



The Right to Object

Individuals have the right to consent, or withdraw consent, to the processing of their personal data



Rights in Relation to Automated Decision Making and Profiling

Individuals have the right to opt out of the use of their personal data by automated systems, such as artificial intelligence

9 Use of Automated Processing and Profiling

During the recruitment process, We require You to answer mandatory questions. We use answers as selection criteria in case of large amounts of applications, considering at first the higher scores.

Otherwise, AADK does not use automation or profiling of Staff's Personal Data.

10 Data Security

We manage Personal Data in accordance with the AADK IT Security Policy which requires data protection impact assessments of existing and new data management systems.

It means that Your Personal Data are stored and managed on protected and monitored platforms and infrastructure where it is possible to log access and identify possible data breaches.

11 Complaints

If you believe that we do not respect your Rights as a data subject (GDPR Chapter 3) or the Policy, you should first contact the concerned unit and then send your claim to complaints@ms.dk.

If you do not feel that AADK takes your claim in consideration, then you may at any time exercise your rights and file a complaint to "Datatilsynet", Borgergade 28, 5. Sal – 1300 København K; phone: 3319 3200, email: dt@datatilsynet.dk.

12 Changes and Updates

We may update this Policy from time to time. Staff will be informed about changes on Podio.

Latest update of this Policy appears in the footer. Content of the change:

- Chapter 2 includes: Manage ActionAid Denmark resource which includes plans, budget, follow-up and reporting.
- Chapter 3.1.1 includes salary information.
- Chapter 4: Among the data gathered in relation to our mutual engagement, information such salary, skills, performance and professional interests are usually shared within the organisation in relation to planning, budgeting, follow-up and reporting
- Chapter 5: Data Sharing with Insurance, Pension, Travel and Brokers companies.
- Chapter 7: Deletion of Personal Data that allow one to identify one in HR software, CUBES, after 6 months.
- Change in mail to report complaints & grievance.

Part 2 – Processing of Other’s Personal Data by people working for or at AADK

1. Field of Application


This part of the Policy is applicable for the processing of Other’s Personal Data, by AADK Staff.

2. Access to Other’s Personal Data

It is the Staff’s manager’s responsibility to consider at any time and make the decision upon which system and Personal Data, Staff may access. By default, the access should be given to a limited number of Staff members to fulfil the job in safe conditions (taking workload and possible absence in consideration)

It is also the Staff’s manager’s responsibility to inform and teach the Staff on how to manage Personal Data in accordance with the Policy and the Privacy Policy.

You shall always access systems with your unique login and own password. You may not – in any case – share passwords with anyone or leave it visible to anyone. You are required to change your password yourself every three months if the system does not require it automatically.

You are also required to lock your computer ( + L) when you leave it – even for a short while.

If you have access to AADK emails or other content on your phone or tablet, You must secure it with a pin code or password.

3 Processing of Other’s Personal Data

You are required to read and understand the Policy and the Privacy Policy.

Always consider the following when You gather and process Other’s Personal Data:

- Is it necessary; do You have a legitimate reason to process Personal Data?
- With which purpose and for which reason; in regard to the GDPR four reasons: 1) to enter into a contract; 2) AADK’s legitimate interest to process such information, unless Other’s right to protect such information prevails over our legitimate interest; 3) to fulfil legal requirements; 4) with the Consent of the data subject)?
- Where and for how long is it necessary to keep the Personal Data?
- How will you ensure that the data is protected and will be deleted?

3.1 Processing of Photos

Photos are often Personal Data. In the table below You can see which legal grounds should be applied in the processing of photos.

Category	Legal ground
Portrait photos, personified	Consent
Portrait photo, non-personified	Consent or legitimate interest
Group photo	Consent or legitimate interest
Overview photo, with non-identifiable subjects	GDPR not relevant
Blurred photos,	GDPR not relevant

You must gather the subject’s Consent for portrait photos where the subject is named or easily identifiable.

If there is no clear legitimate interest, You shall also gather the subject’s Consent for portrait or group photos where the subject is not named but identifiable/recognizable.

If a photo is taken in the public space and does not show or connect individuals to potentially sensitive topics (like political opinions, sexuality, religious beliefs or ethnicity), then they can generally be published without getting consent.

Photos where the subject is difficult to identify or seen from the back, you are not required to inform the subject.

3.2 Your Obligation to Inform when You process Other's or Staff's Personal Data

Always inform the subject about:

- Which Personal Data you process
- The purpose (remember that you may not use the collected Personal data for other purposes than the one communicated) and which legal basis for processing We use.
- How you will manage the Personal Data (incl. in which system if any), who will have access to it and when will it be deleted or anonymized
- If you share the Personal Data outside of AADK and if you share it with recipients or processors outside of the EU
- Their rights as data subjects
- Right to lodge a complaint: first at **complaints@ms.dk**, secondly at Datatilsynet, Borgergade 28, 5. Sal – 1300 København K; phone: 3319 3200, email: **dt@datatilsynet.dk**

3.3 Storage & Deletion

Start with considering if you or someone else needs to process Personal Data and for which purpose – if not, delete them! And do it immediately if you are not allowed to receive or process this information.

You must delete Personal Data as soon as the purpose communicated to the subject is fulfilled.

Personal Data (Other's and Staff's) must be stored in a safe and secure manner:

- In dedicated IT systems designed to ensure data security like CRM database, Planday, Podio, CUBES, HR Manager, Enalyzer; such systems are designed to manage deletion or anonymization automatically
- In closed folders in SharePoint or OneDrive – You should go through such folders at least every six months to ensure that Personal Data not necessary to keep, is deleted.

Only for a very limited duration, you may store Personal Data on your desktop; and you must delete the files straight after having processed the information.

If you store some Other's information on a USB drive, you must protect the access to the information by a password or, even better, encryption. You must store the USB drive in a safe place like a locked drawer or keep it on you.

If you need to print Personal Data, you must use Follow-your-print; you must ensure that no one can read or take your printed material (store them in a safe place like a locked drawer or take them with you); and you must maculate them straight after having processed the information.

If you receive Personal Data by email (like CVs, list of participants, portrait photos, etc.), you must store them in a safe place and delete the email.

3.4 Sharing

You may share Personal Data to anyone within AADK if the person has 1) a reason to process the information in accordance with the purpose announced to the subject; and 2) the competence to manage such information (incl. has been introduced to the Policy and Privacy Policy).

You may only share information with external partners if You have informed the subject AND You have:

- A contractual or legal reason
- Or Gathered a Consent from the subject

You may NOT share Other's Personal Data out of EU (incl. within ActionAid), if the information sharing is not covered by an Intra-Group Agreement or if the country, where the data will be processed, does not meet the security level required by the European Commission. You may transfer the information if it necessary for the performance of a contract (e.g. for travelling).

When you share Personal Data with an external partner, you must do it through secure procedures:

- Encrypted e-mails
- Share a link to a closed folder or file on OneDrive (right click on the file and select Share)

You must limit the sharing of Personal Data by standard email – and delete these mails straight away, asking the recipient to do the same.

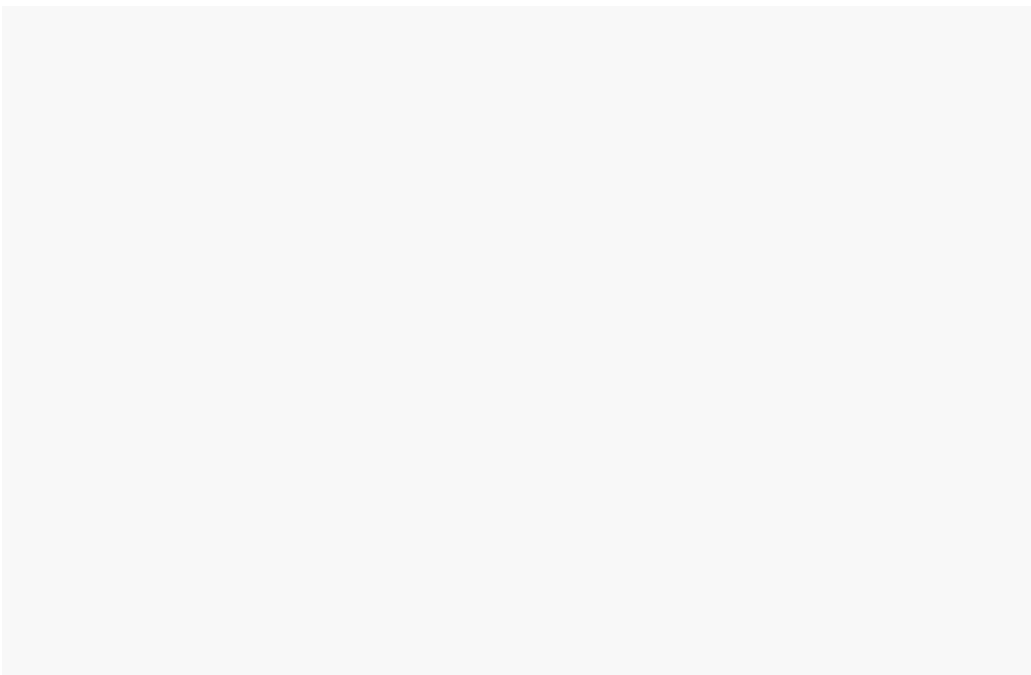
3.5 Follow up on Subject's requests

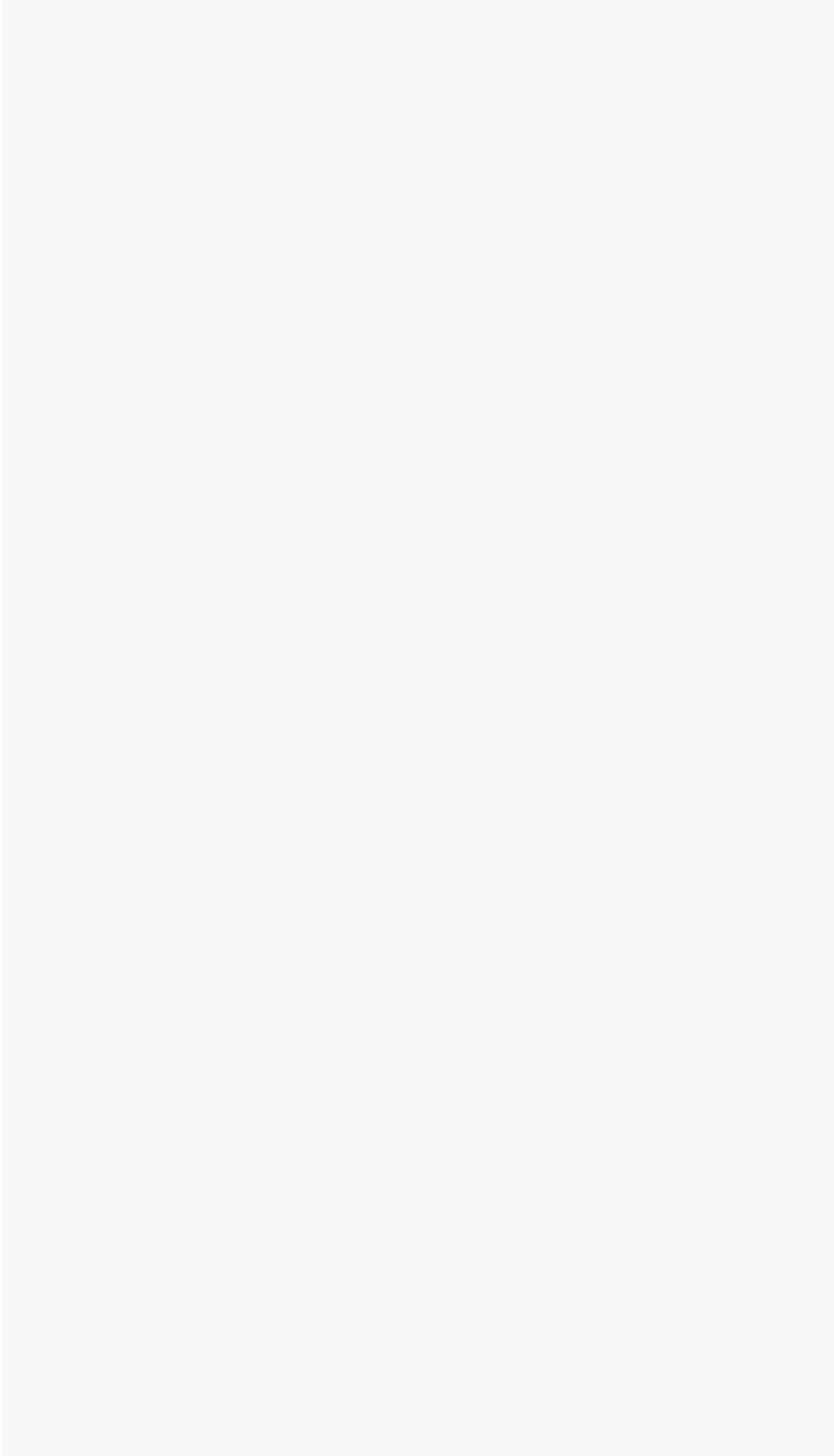
You must always follow up on the subject's requests, when it comes to:

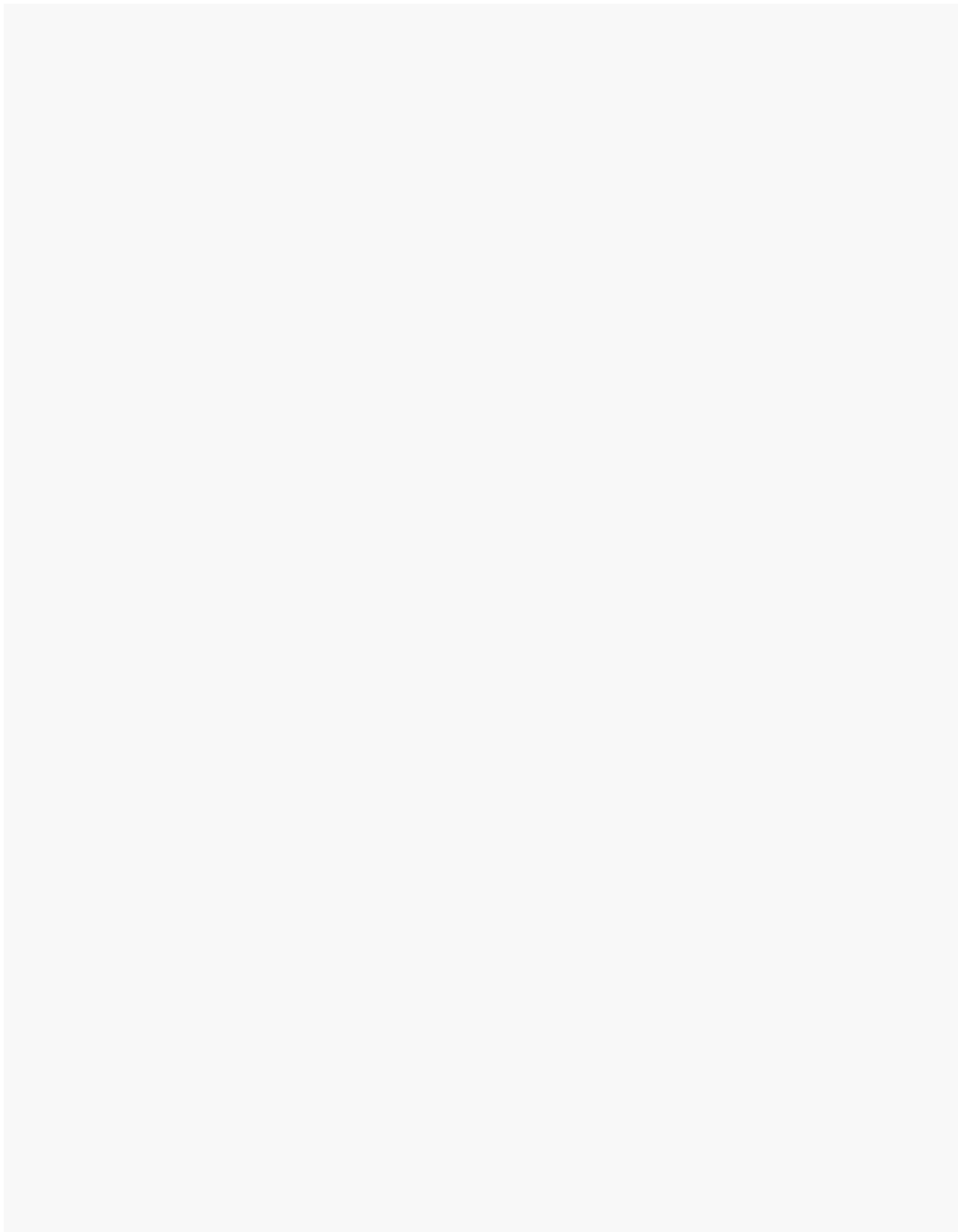
- Give Her/him insight in which data We store and process
- Update/correct her/his Personal Data
- The right to not be subject to a decision based solely on automated processing
- Stop processing of her/his Personal Data
- Export her/his data
- Her/his question of our right to use her/his Personal Data – here you need to stop processing data until the right has been clarified
- Withdrawing her/his Consent
- Delete her/his Personal Data (provided that We are not lawfully required to keep the Personal Data)

4 Data Security

We manage Personal Data in accordance with the AADK IT Security Policy which requires data protection impact assessments of existing and new data management systems.







5 Data Breach

As soon as you have a suspicion or a knowledge of a non-authorized person or entity:

- Having had access, or
- Can have access

to Personal Data, you must inform:

- Your Manager
- AND send an email to databreach@ms.dk
(or call +45 2680 0429 if you are not able to send an email)
with the following information:
 - Which Personal Data or categories of data have been accessed (on which system)
 - Of which subject(s) or category of subjects
 - At what time and How

You must as much as possible limit the risk, for example by closing the system.

Be aware that a stolen hard copy with Personal Data, a computer with access to our systems or a phone with access to AADK emails is a breach – even it is protected by a password!