

INTRODUCTION

1. In what sector do you or your business enterprise operate? – Select only one option that applies

- ☐ Accommodation and Food Service Activities
- ☐ Activities of extraterritorial organizations
- ☐ Activities of households as employers; undifferentiated goods and services-producing activities of households for own use
- ☐ Administrative and Support Services Activities
- ☐ Agriculture, Forestry and Fishing
- ☐ Arts, Entertainment and Recreation
- ☐ Construction
- ☐ Education
- ☐ Electricity, Gas, Steam and Air Conditioning Supply
- ☐ Financial, Insurance and Gaming Activities
- ☐ Information and Communication
- ☐ Manufacturing
- ☐ Maritime
- ☐ Mining and Quarrying
- ☐ Other Services
- ☐ Professional, Scientific and Technical Activities
- ☐ Public Administration and Defense; Compulsory Social Security
- ☐ Real Estate Activities
- ☐ Transport and Storage
- ☐ Water Supply, Sewage, Waste Management and Remediation Activities
- ☐ Wholesale and Retail Trade, Repair of Motor Vehicles and Motorcycles

2. How many employees do you have in your business?

☐ 0 or None

☐ 1 – 10

☐ 11 – 49

☐ 50 – 100

☐ >100

3. PERSONAL DATA

1. Are you processing personal data?

☐ Yes

☐ No

2. Are you a data controller, or a data processor, or both?

☐ Controller

☐ Processor

☐ Both

3. Are you processing special categories of data?

☐ Yes

☐ No

(IF YES)

3.1. Do you have a Data Protection Supervisor (DPS – a person who deals with data protection implementation and monitor compliance within your business) in place?

☐ Yes

☐ No

4. Are you processing personal data of minors?

☐ Yes

☐ No

(IF YES)

4.1. Do you obtain consent from the parents or guardians of each of those minors?

☐ Yes

☐ No

5. Are you processing data relating to criminal convictions?

☐ Yes

☐ No

6. Do you keep any records including CVs of candidates who applied for a job and were not selected?

☐ Yes

☐ No

(IF YES)

6.1. Do you inform applicants and obtain their consent to keep such records?

☐ Yes

☐ No

7. Do you monitor your businesses premises (internally or externally using CCTV cameras)?

☐ Yes

☐ No

(IF YES)

7.1. Do you have signs informing individuals that CCTV is in operation?

☐ Yes

☐ No

8. Do you monitor your business vehicles using tracking technology?

☐ Yes

☐ No

9. Do you use biometric technologies for monitoring purposes?

☐ Yes

☐ No

(IF YES)

9.1. Do you inform individuals that biometrics records are being used for monitoring purposes?

☐ Yes

☐ No

10. Do you record and retain recordings of telephone calls, or of virtual / remote meetings?

☐ Yes

☐ No

10.1. Do you inform callers or meeting participants that the call/meeting is being recorded?

☐ Yes

☐ No

LAWFUL GROUNDS FOR PROCESSING

11. Do you have a lawful ground for processing? Please click on the info box to understand what the lawful grounds for processing are.

☐ Yes

☐ No

12. Do you use consent to process personal data?

☐ Yes

☐ No

(IF YES)

12.1. How is such consent being collected? Select all that apply.

☐ Online

☐ Paper form

☐ Take note in writing

12.2. Does your business have a website? Or does it only use a social media platform such as Facebook or Instagram? Select all that apply.

☐ Website

☐ Social media platform

12.3. Does your website use any cookies?

☐ Yes

☐ No

12.4. Does your website include an updated cookie notice for all users?

☐ Yes

☐ No

13. Is consent recorded?

☐ Yes

☐ No

13.1. How is the consent demonstrated? Select all that apply.

☐ Copy of dated document

☐ Online records with timestamp

- ☐ Oral consent with a note of the time and date
- ☐ Excel spreadsheet
- ☐ A note on the customers list

14. Can data subjects easily withdraw their consent once they have given it?

- ☐ Yes
- ☐ No

(IF YES)

14.1. Do you provide any method, such as an online form through which data subjects can easily withdraw their consent?

- ☐ Yes
- ☐ No

TRANSPARENCY REQUIREMENTS

15. How is personal data collected?

- ☐ From data subjects themselves
- ☐ From third parties / other sources

16. Are data subjects notified or given information about the data processing and its purposes?

- ☐ Yes
- ☐ No

17. Are individuals informed of their right to demand erasure or rectification of personal information held about them (where applicable)?

- ☐ Yes
- ☐ No

18. Do you direct your clients to read your Data Protection Policy when you request their personal data?

☐ Yes

☐ No

19. Do you inform the data subject for how long your personal data is being kept?

☐ Yes

☐ No

OTHER – ACCOUNTABILITY

20. Is the personal data you collect used for other purposes too?

☐ Yes

☐ No

21. Is the personal data you collected limited to what is necessary for your transaction?

☐ Yes

☐ No

22. Do you also collect additional data?

☐ Yes

☐ No

23. Do you have ways or procedures to keep data records updated and accurate at all times?

☐ Yes

☐ No

24. Do you or your staff ever have any formal training on how to manage clients data in line with the Data Protection Act, 2012?

☐ Yes

☐ No

25. Do you have written procedures or policies in place that set out what happens to the personal data once it's no longer needed?

☐ Yes

☐ No

26. Do you have security measures in place in your business in order to protect personal data?

☐ Yes

☐ No

27. Do you have any written policy or procedure that you and your staff can follow in the event that a data subject requests access to the personal data you hold on them?

☐ Yes

☐ No

DATA SUBJECT RIGHTS

28. Do you have a dedicated form or does your website include information intended to facilitate the requests by data subjects to access their personal data?

☐ Yes

☐ No

29. When receiving a request from a data subject who wishes to access their data, are you in position to respond to their request within one month?

☐ Yes

☐ No

30. Can data subjects get their personal data in a commonly used structured manner which can be processed by different computer systems?

☐ Yes

☐ No

31. Can data subjects request their data to be erased, do you have a documented procedure to which you can refer in order to act on this request?

☐ Yes

☐ No

32. Are individuals informed about their right to object to, and erase, certain types of processing their personal data?

☐ Yes

☐ No

33. Do you create profiles of clients such their buying habits, spending power, personal interests, and so on?

☐ Yes

☐ No

(IF YES)

33.1. Do you have proof of consent for such profiling?

☐ Yes

☐ No

DATA SECURITY

34. Do you have any procedures to deal with security-related issues?

☐ Yes

☐ No

35. Do you destroy, erase or anonymize personal data when it is no longer required to be retained, or not required to fulfill the purpose for which it was collected, or after the retention period has elapsed?

☐ Yes

☐ No

36. Are steps taken to pseudonymize personal data where applicable or possible?

☐ Yes

☐ No

37. Do you keep regular backups of your data which can easily be restored in the event of data loss?

☐ Yes

☐ No

DATA BREACHES

38. Do you have an Incident Response Plan if you suffer a personal data breach?

☐ Yes

☐ No

39. Do you have a mechanism in place to inform your clients in the event of a data breach?

☐ Yes

☐ No

40. Are you aware on how to inform Data Protection Commission (DPC) in case of a data breach?

☐ Yes

☐ No

41. In the event that you suffered a personal data breach, do you keep a record of such breach?

☐ Yes

☐ No

INTERNATIONAL DATA TRANSFERS

42. Do you transfer (including to make data available in any manner) the personal data as well as sensitive data, to countries outside the following list:

- A) EU member states;
- B) Other countries forming part of the European Economic Area (Iceland, Liechtenstein and Norway);
- C) Countries attaining adequacy (Andorra, Argentina, Canada, Faroe Islands, Guernsey, Israel, Isle of Man, Japan, Jersey, New Zealand, Switzerland, United Kingdom and Uruguay).
- D) African member states

☐ Yes

☐ No

(IF YES)

42.1. Do you use cloud services when processing personal data outside any of the countries listed above?

☐ Yes

☐ No

42.2. Do you have a contract (based on Standard Contractual Clauses) for the transfer of personal data to any country not provided in the list above?

☐ Yes

☐ No

42.3. Do you inform your clients that their personal data is intended to be transferred to any third countries not provided in the list above?

☐ Yes

☐ No

OTHER OBLIGATIONS

43. Do you consider and include data protection measures when designing and implementing IT systems?

☐ Yes

☐ No

44. Do you have a process for identifying those occasions when you need to conduct and document a Data Protection Impact Assessment?

☐ Yes

☐ No

45. Do you engage the services of an external processor (external suppliers providing service to your enterprise)?

☐ Yes

☐ No

45.1. Is there a written agreement with the external processor to regulate the processing operations including security measures to be applied and also any transfer of data to third countries if applicable?

☐ Yes

☐ No

45.2. Does this written agreement provide for assistance by the external processor to deal with personal data breaches, including when reporting to IDPC?

☐ Yes

☐ No

45.3. Does the contract in place provide for authorization for sub-processing arrangements?

☐ Yes

☐ No

45.4. Are arrangements in place to be informed by the processor when engaging a sub-processor?

☐ Yes

☐ No

45.5. Have the same obligations set out in the controller / processor agreement been imposed on the sub-processor?

☐ Yes

☐ No

46. Except in the course of administering the employment of your staff, do you collect any ID Card or Passport numbers in the course of your business operations?

☐ Yes

☐ No

47. Do you process personal data intended for direct marketing?

☐ Yes

☐ No

47.1. Do you conduct this direct marketing electronically (for instance by email, or text message)?

☐ Yes

☐ No

47.2. Do you collect the consent of the data subject before adding them to any direct marketing list?

☐ Yes

☐ No

47.3. Do you have a mechanism in place where the data subject can remove themselves (or ask to be removed) from your direct marketing list?

☐ Yes

☐ No

48. Does your business use social media platforms like Facebook or Instagram to manage any of its businesses, including its employees and clients?

☐ Yes

☐ No

48.1. Do you collect consent from employees and clients to manage your business on social media platforms?

☐ Yes

☐ No

48.2. Do you have adequate safeguards to manage your employees and clients' data on social media platforms?

☐ Yes

☐ No

49. Do you inform your clients or employees that they have a right to file a complaint with the Information and Data Protection Commission (DPC), if they feel their data privacy rights have been breached, and where they can reach the Office of the DPC?

☐ Yes

☐ No