



## PRIVACY POLICY

Adopted on 24<sup>th</sup> May 2018

# RTÉ Privacy Policy

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## 1. Introduction

- 1.1 Raidió Teilifís Éireann is a statutory body and Ireland's National public service media organisation governed by the Broadcasting Act 2009 (the "**Broadcasting Act**"). In this role RTÉ processes Personal Data which is necessary for the performance of RTÉ's public interest role as set out in this Privacy Policy and in accordance with section 114 of the Broadcasting Act.
- 1.2 This is the Privacy Policy of Raidió Teilifís Éireann, RTÉ Commercial Enterprises DAC, and any of their affiliates, including RTÉ Transmission Network DAC trading as 2RN (together "**RTÉ**"). The purpose of this Privacy Policy is to outline RTÉ's policy concerning the collection, use, retention, disclosure and transfer of Personal Data which is gathered and processed by RTÉ. This Privacy Policy also sets out RTÉ's information management practices.
- 1.3 RTÉ respects the privacy of all those individuals whose Personal Data it comes into contact with, which in particular includes the following:
  - (a) all users of the RTÉ website (i.e. the RTÉ desktop and mobile sites), RTÉ social media pages and apps and other RTÉ services (whether on-air or online);
  - (b) RTÉ employees and contractors (including applicants for employment with RTÉ);
  - (c) all members (including former employees) of RTÉ sponsored pension schemes;
  - (d) RTÉ business contacts and suppliers; and
  - (e) individuals whose Personal Data is provided to RTÉ in the form of content for editorial, content creation, journalistic purposes (including those who contribute content for live discussion or other purposes including audience participation).
- 1.4 For each of these categories of individuals, this Privacy Policy will explain why RTÉ collects and how RTÉ uses the Personal Data it collects. RTÉ will ensure that it keeps all Personal Data provided to it in accordance with RTÉ's obligations under applicable data protection laws. RTÉ will update this Privacy Policy from time to time to reflect any material changes in technology, legislation or RTÉ's data use practices which may materially affect the way in which RTÉ processes Personal Data.
- 1.5 This is not an exhaustive statement of all of RTÉ's data protection practices and RTÉ may apply specific policies within certain environments. For example, a separate policy exists for Saorview (which, while broadly consistent with this Policy, may contain certain variations). The GAAGO service also has its own separate privacy policy which you should refer to if using GAAGO. In addition, RTÉ might include a separate privacy notice at the point of capturing data on a new service and any specific consents obtained or information provided in this way will apply specifically to that service and will supplement this Policy. RTÉ may also introduce additional user choices on our digital platforms which will be clearly explained to users as required by data protection law. This Policy should also be read in conjunction with other relevant RTÉ policies, e.g. the RTÉ Public Service Broadcasting Charter which is available [here](#). RTÉ, as a broadcaster, is also subject to the codes and standards of the Broadcasting Authority of Ireland, which are available [here](#), and will

process Personal Data in accordance with those codes and standards. RTÉ is also subject to the rules of Comreg.

## **2. What is Personal Data?**

- 2.1 Personal Data is any information relating to a living individual that allows for the identification of that individual. Personal Data can include a name, address, contact details, an identification number, IP address, CCTV footage, access cards/co-tags, audio-visual or audio recordings of a person, details about an individual's location or any other detail(s) specific to that individual.
- 2.2 In circumstances where an RTÉ entity controls Personal Data by deciding why and how that Personal Data is processed, RTÉ will be a "Data Controller". Any entity that processes Personal Data controlled by RTÉ and does so on behalf of RTÉ, is a "Data Processor". Data Processors may include third party service providers engaged by RTÉ (for example communications providers, payroll and marketing or recruitment agencies). As required by applicable data protection law, when RTÉ appoints a Data Processor, we will ensure that appropriate contractual protections are in place.
- 2.3 In circumstances where content is produced independently of RTÉ, the third party producer shall usually be the Data Controller, and as such, it is the privacy policy of such third party producers that will govern the collection and processing of Personal Data. Where content is co-produced, RTÉ and the third party producer may be co-Data Controllers. In such situations, it may be necessary for RTÉ to share Personal Data with the third party producer and vice versa.

## **3. RTÉ Website, Social Media and Apps**

- 3.1 This section of the Privacy Policy sets out the type of Personal Data collected by RTÉ, the purposes for which such Personal Data is collected and processed and the lawful justifications for such processing in the context of the RTÉ website (<http://www.RTE.ie/>) apps (including, without limitation, RTÉ Player). Please see the section titled '*RTÉ sign-in*' at paragraph 3.3(a)(iv) below in relation to RTÉ sign-in.
- 3.2 RTÉ is not responsible for the privacy practices of any external websites, device manufacturers or platforms which may be accessed or used in connection with a person's use of the RTÉ website, RTÉ social media pages or apps. They are subject to their own privacy statements which may materially differ from those of RTÉ so users should review them for further information.
- 3.3 **What Personal Data does RTÉ collect and use online?**
  - (a) RTÉ collects various types of Personal Data when a person uses the RTÉ website, RTÉ social media and/or apps. The following are examples of Personal Data collected by RTÉ:
    - (i) Competitions: When a person enters a competition, RTÉ may collect and use the entrant's name and contact details (including postal address, email address, telephone number) in connection with the competition (including mobile competitions). Where RTÉ operates competitions in conjunction with a third party commercial partner, subject to the competition rules and notices, that partner may collect and use the data.
    - (ii) Programme Participation, Audience Participation and Ticketing: When a person engages with RTÉ to participate in a RTÉ programme

(as an audience member or as a contributor) or to obtain tickets for a RTÉ programme or event, RTÉ may use the individual's name, contact details (including postal address, email address, telephone number) and such personal data (which may include special category data) disclosed by the individual in order to process applications for tickets or applications to participate in such programmes.

- (iii) Social media pages: Content such as messages and photographs, that is posted on social media pages on which RTÉ has a presence may be made publicly available and may be used in connection with the operation and promotion of RTÉ social media pages, apps and services, the RTÉ website and television and radio programmes. If content is posted that is deemed to be in breach of this Privacy Policy (or the RTÉ Notice and Take Down Policy), or the policies operated by such websites, social media platforms or apps, such content may be removed by or at the request of RTÉ or the operators of those social media websites. If such inappropriate content is posted to a social media page that RTÉ controls you can report it at the following address [info@rte.ie](mailto:info@rte.ie) and RTÉ will endeavour to ensure that appropriate action is taken in accordance with the RTÉ Social Media Guidelines and/or policies of the relevant social media platforms.
- (iv) RTÉ sign-in: To access certain features and functions across the range of RTÉ's websites and mobile services users are required to sign in. This enhanced service is known as RTÉ sign-in and allows registered users to have a more personalised experience when accessing and interacting with RTÉ's digital services and content. By registering and signing in to RTÉ sign-in, users can easily access all available features and functions across the range of online services with a single sign-in. Users can register with RTÉ sign-in using their Facebook or email login details. When users register an account with RTÉ sign-in, they will be required to provide certain information including their year/month/date of birth and location. The year/month/date of birth is required in order to ensure that RTÉ is engaging in a contract with an individual who aged 18 years or more.

When users create a RTÉ sign-in account, we may also collect and use your name, contact details, gender, IP address, browser, operating system and the device used (including its location) and details regarding the particular RTÉ website accessed, RTÉ social media pages and app usage (e.g. pages visited and time and date of pages visited together with the actions taken by the user). This information is collected and processed to provide users with extra benefits (including seamless viewing of the RTÉ Player across multiple devices, email updates on content relevant to you and access to exclusive competitions). RTÉ may also record which users opened and clicked the embedded links in the communications sent by RTÉ in order to measure a campaign's effectiveness.

There are certain services which require the collection and processing of a greater amount of Personal Data (including special categories of Personal Data), and in such cases, separate additional rules may apply. If a user has signed up to RTÉ sign-in, we may combine your account information with other information that we have collected about you using cookies, web beacons, device identifiers, social

plugins, tracking pixels, etc. (for further information on RTÉ's use of cookies and other similar technologies please refer to the RTÉ [<Cookie Policy>](#)). For users who want to control the use of cookies etc. please see the section titled 'Changing Your Preferences' at paragraph 4.4 below.

- (v) **RTÉ Apps:** RTÉ sign-in will also be used by RTÉ to collect and use details regarding the app usage of users of RTÉ apps, including the RTÉ Player app and RTÉ NewsNow. Such details may include the time and date that the app is opened and closed, what content was viewed and the duration of the app session. Using this information enables us to generate statistical reports, such as to measure the popularity of content or to look at ways to improve our service. When users choose to receive in-app push notifications, we may also use this information to send such users customised in-app messages regarding our services, including newsletters, messages about new app features and RTÉ content, special offers, promotional announcements, surveys and other information; all of which will be customised for your particular preferences. RTÉ may also verify the location of a user's device while using the app or country of the relevant appstore registered credit or debit card. RTÉ may block usage of the app in some cases based upon this information. This is because there are territorial restrictions on the use of certain RTÉ apps and content. All of this information is linked through the relevant user accounts (such as Apple App Store or Google Play Store). Users may be able to use their device settings to prevent RTÉ from verifying their device's location. However, in that case, use of that specific app may be impaired or discontinued.

**3.4 The purposes and lawful justifications for RTÉ's data processing**

- (a) RTÉ collects and processes the Personal Data described above for a variety of purposes. As required by data protection laws, below is a summary of these purposes and the lawful justifications that support them:

Purpose	Lawful Justification
Service delivery, management and improvement e.g. to identify content which is most popular among users of RTÉ services, to promote such content to RTÉ users in a customised manner and to restrict the use of RTÉ services in territories where restrictions apply to its use.	Such processing is necessary for RTÉ's to meet its statutory obligations and to provide the relevant services.
To evaluate users' interests and viewing preferences, and to promote tailored offerings and content that reflect user preferences and interests.	RTÉ has a statutory function under the Broadcasting Act in providing personalised services and customised content, including for example, tailored content to RTÉ sign-in users. In performance of this function, we balance such interests against the rights of individual users through the use of the measures described in this Policy.
To evaluate users' interests and to deliver	RTÉ has a statutory function under the

tailored advertising based on user preferences and interests.	Broadcasting Act to exploit commercial opportunities arising out of statutory obligations in providing tailored advertising. In performance of this function, we balance such interests against the rights of individual users through the use of the measures described in this Policy.
Using content provided by individuals on RTÉ social media pages.	We rely on individuals' consent for these uses. If a user wishes to withdraw consent to the processing of any content posted by them on RTÉ social media pages, they can contact RTÉ's Data Protection Officer (see paragraph 14 below).
Competitions or draws.	It is necessary to process data to operate the relevant competitions or draws. Additional uses of the data may arise where consent has been provided under the relevant competition rules.
Purchases from RTÉ or its commercial partners (for example, the RTÉ Guide).	We need to process Personal Data to perform the relevant purchasing contract between RTÉ and the user.
Service administration e.g. providing individual users with password reminders or providing notifications of a change in services.	Such processing is necessary for the provision of the service to which the user has signed up and to support performance of RTÉ's statutory function in managing the delivery of its services; and as necessary for the contractual performance of contract between RTÉ and the user.  RTÉ has a statutory function under the Broadcasting Act in providing personalised services and customised content, including for example, tailored content to RTÉ sign-in users. In performance of this function, we balance such interests against the rights of individual users through the use of the measures described in this Policy.
Maintenance of RTÉ Archives	RTÉ has statutory archiving obligations under the Broadcasting Act as well as a public interest in maintaining its archives and records for public interest historical or research purposes.
Communicating with and maintaining contact details of business contacts and suppliers	As necessary for the performance of the relevant contract with such business contacts and/or suppliers and otherwise in order to enable RTE to perform its statutory public interest objectives, which necessarily requires that RTE engage external service providers.

<p>General correspondence with members of public (by post or RTE email address) for example where an individual sends correspondence to RTE to comment on content of broadcast or for other miscellaneous reasons.</p>	<p>For the particular purpose for which the correspondence is sent to RTE. Depending on the particular context of such correspondence the relevant lawful basis will likely be either the individual's consent or performance of RTE's public interest objectives.</p>
<p>For audience ticketing and audience participation purposes, which may from time to time include sensitive categories of personal data including but not limited to data revealing individual's religious or philosophical beliefs, health data, trade union membership or data revealing sexual orientation or details of sex life.</p>	<p>Such data will be processed for the purpose of meeting RTÉ's public interest objects under section 114 of the Broadcasting Act, which in particular refers to RTÉ's object to provide a comprehensive range of programmes that "<i>reflect the cultural diversity of the whole island of Ireland</i>", that "<i>inform and educate</i>" and to "<i>provide programmes of news and current affairs</i>". Having regard to the importance of the right of freedom of expression and information in a democratic society, such processing is therefore necessary and proportionate in relation to RTÉ's journalistic expression in performing its express public interest objects under the Broadcasting Act 2009.</p>

#### 4. Advertising and Marketing

This section of the RTÉ Privacy Policy sets out how RTÉ may use Personal Data for marketing and online advertising purposes.

##### 4.1 Marketing communications

If a person provides consent for marketing communications RTÉ may use their name, address, email address, postal address and/or telephone number for marketing communications. For example, you may sign up to receive email communications at the end of an article on [www.rte.ie/news](http://www.rte.ie/news) or with your RTÉ registered sign-in account. Users who have chosen to receive in-app push notifications will also receive marketing communications in that way. RTÉ will not contact users by email, phone or SMS for direct marketing purposes unless the users have consented to be contacted for such purposes as required by data protection laws. Users can opt-out of receiving direct marketing communications from RTÉ by following the unsubscribe link in the relevant marketing message.

If you signed up to marketing communications with your RTÉ registered sign-in account and profile and/or directly with your email address only, we may combine this data with information (including your device's location) collected through cookies, web beacons, your device identifier etc. This is so that we can provide you with email updates that are relevant to you based on your preferences. We collect this information for internal purposes only to allow us to glean insights into users email consumption e.g. open rates, click through rates, unsubscribe, type of content that is most popular etc. in order to help us to better serve users in the future based on the content that interests RTÉ's users. For further information on RTÉ's use of cookies and other similar technologies please refer to the RTÉ [<Cookie Policy>](#).

If users sign up to receive marketing communications from RTÉ's partners and provide their contact details to RTÉ for such purposes, we may provide their name and contact details (e.g. email or mobile number) to RTÉ's commercial partners (such as organisations that are partnering with RTÉ in relation to the provision or sponsorship of TV programmes) so that they can send you marketing communications. RTÉ will not provide such information to third parties for direct marketing purposes unless the users have consented to RTÉ giving their Personal Data to third parties for that purpose. If a user opts-out from receiving communications from our partners, RTÉ will no longer share that user's contact details with our partners. However, users will still need to directly opt-out from communications from the partners to whom we have already given their information.

RTÉ uses third party service providers to help deliver its marketing communications. Those third party data processors are subject to contractual and legal restrictions in relation to any unauthorised use of your information.

#### 4.2 **RTÉ sign-in**

If you have signed up to RTÉ sign-in, we may combine information (including your device's location) collected through cookies/web beacons such as your device identifier with your RTÉ registered account and profile. This is so that we can provide you with extra feature benefits on our services. We collect information for internal purposes only to allow us to glean insights into your usage behaviour (e.g. what webpages viewed, time spent on articles, the type and number of videos watched in order for us to better serve users in the future with more relevant content).

#### 4.3 **Online Advertising**

By using RTÉ online services and apps we may use information gathered from you, and information gathered from third parties, to provide our users with certain tailored advertising offerings through our website and other services. RTÉ gathers web viewing Personal Data from users across its various services, which may then be used by RTÉ and its service providers to deliver advertising to particular groups of users based on the preferences or interests inferred from the data collected and processed by RTÉ's (or a third party service provider's) technology. For example, RTÉ uses cookies, web beacons, social plugins, tracking pixels and similar technologies to collect information from a mobile or other device (for further information on RTÉ's use of cookies and other similar technologies please refer to the RTÉ [<Cookie Policy>](#)). Should a user register for RTÉ sign-in and consent to receive marketing communications from RTÉ, RTÉ may then combine a user's account information with this information collected by RTÉ, or third parties, about the user to assist RTÉ and its partners to provide advertising based on your preferences and viewing patterns. RTÉ may also measure what users opened and whether users clicked the links embedded in advertising communications to measure a campaign's success. This may also be used to ensure effectiveness in delivery and to permit RTÉ to control the frequency of delivery of advertisements.

#### 4.4 **Content recommendations and promotion**

Where users have created an RTÉ sign-in account, we will collect certain information by using cookies, social plugins, tracking pixels, web beacons and other similar technology about your viewing patterns, IP address, browser, operating system and the device used (including its location) and details regarding the particular RTÉ website accessed, RTÉ social media pages and app usage (e.g. pages visited and time and date of pages visited together with the actions taken by the user). This

information is then used by RTÉ (and its third party service providers) to enable RTÉ to provide RTÉ sign-in users with extra benefits tailored to their particular preferences and interests. These features include seamless viewing of the RTÉ Player across multiple devices, content relevant to you, and access to exclusive competitions, additional services and events. RTÉ may also record which users opened and clicked the embedded links in the communications sent by RTÉ in order to measure a campaign's effectiveness. For further information on RTÉ's use of cookies and other similar technologies please refer to the RTÉ [<Cookie Policy>](#).

When users visit the RTÉ website, apps and social media sites without an RTÉ sign-in account, RTÉ will also use cookies, social plugins, tracking pixels, web beacons and other similar technology to collect certain information about your viewing patterns, IP address, browser, operating system and the device used (including its location) and details regarding the particular RTÉ website accessed. RTÉ uses this information to promote relevant content to you.

#### 4.5 **Re-marketing**

RTÉ may also integrate social media network pixels (e.g. Facebook pixel) across its online services and target: (i) all website visitors; (ii) visitors who have watched specific shows; and (iii) visitors who have visited specific content on the RTÉ.ie website via social networks (for example, such as Facebook). RTÉ uses site-based re-targeting techniques to provide advertising for RTÉ content to visitors to the RTÉ website once they have left the RTÉ website. Such advertisements may appear on other websites and social media sites to keep you informed about relevant RTÉ programmes, services and events. RTÉ may also work with technology partners to generate "look-a-like" audiences for promotion of RTÉ programmes, services and events.

#### 4.6 **Changing your preferences**

Users can also switch off in-app push notifications through their device settings. RTÉ's policy concerning the use of cookies and other similar technology across RTÉ platforms and services is set out in the RTÉ [<Cookie Policy>](#). The Cookie Policy also explains how the use of cookies can be controlled when accessing and using RTÉ services.

Please note that if you choose to turn off your cookies, you may lose some features and/or functionality including instructions within a cookie not to deploy an advertisement/survey once it has been sent to you. In addition, if you disable collection of your device's location, it may not be possible use certain RTÉ apps, such as RTÉ International Player.

### 5. **RTÉ Staff Data**

5.1 As an employer, RTÉ collects and processes Personal Data in relation to its staff, applicants for employment with RTÉ, pension scheme membership, as well as independent contractors engaged by RTÉ. Such Personal Data includes:

- (a) Personal Details: name, date of birth, PPS number, bank account details, next of kin, details of social media accounts;
- (b) Contact details: address and phone number(s);
- (c) Employment History/application details: educational history, employment history;

- (d) Editorial or journalistic content: links to work e.g. links to show-reels or audio files;
- (e) Medical information: medical certificates, sick notes, health and safety data;
- (f) Family details: names and dates of birth of children (if a person is applying for parental leave);
- (g) Details required for pension purposes: passport details, birth certificates, marriage certificates and details of prior pension scheme membership;
- (h) Car registration and vehicle insurance details for the purpose of expense claims;
- (i) Details regarding trade union membership (for the purposes of payment of trade union membership fees only); and
- (j) Performance-related data: performance management ratings for managers and annual incremental salary reviews of employees.

RTÉ also engage a number of third parties for the collection and processing of Personal Data of its staff and contractors to assist in the normal course of personnel and benefits administration.

## 5.2 The purposes and lawful justifications for RTÉ's data processing

- (a) RTÉ collects and processes the employment-related Personal Data described above for the purposes and with the lawful justifications described below:

Purpose	Lawful Justification
Payroll, including payment of salaries and expenses of staff and independent contractors, making income tax returns, processing of voluntary payroll deductions and for the purposes of internal budgeting and projection of payroll costs.	Such processing is necessary for the performance of the employment contract and contracts for services between RTÉ and each employee or contractor.
For the purposes of budget compilation, reporting, analysis of variances against budget, engagement with statutory and other reviews of RTÉ's performance, planning and restructuring, scheduling and resource planning, costing, or responses to information requests other than FOI (e.g. Parliamentary Questions)	To comply with statutory obligations under the Broadcasting Act 2009.
For maintaining human resources records.	For the performance of the employment contract between RTÉ and each employee and to meet legal obligations in relation to employment records.
For recruitment purposes.	Such processing is based on the consent of the individual applicant.

Performance appraisal including for conducting salary reviews.	Necessary for the performance of the employment/services contract.
IT security and maintenance e.g. IT helpdesk, device encryption, the provision of secure remote access to RTÉ networks and systems.	This is necessary for compliance with our legal obligations in relation to data security and to protect RTÉ's legal obligations for ensuring that workplace policies are adhered to.
<p>As Data Processor (<i>Data Controllers in this case are Trustees of the RTÉ Superannuation Scheme (RTÉSA)</i>) RTÉ as Registered Administrator of the RTÉSA :</p> <p>Manages and administers members' participation in the RTÉSA on an ongoing basis in order to</p> <ul style="list-style-type: none"> <li>• Provide proper benefits for members and their dependents and any other beneficiaries,</li> <li>• Communicate with members and calculate and pay benefits</li> </ul> <p>Provide information in the context of disputes or legal claims</p>	<p>Necessary to comply with the Trustees' legal obligations (per Art 6(1)(c))</p> <p>Necessary for the purposes of the Trustees' legitimate interests or those of a third party, where such interests are not overridden by the fundamental rights of the Data Subject which require protection (per Art(6)(1)(f)); and</p> <p>Necessary for the purpose of establishing, exercising or defending a legal claim (Article 9(2)(f) in respect of Special Categories of Personal Data).</p>
<p>For provision of information relating to pension scheme membership of non-RTÉSA pension schemes to</p> <ul style="list-style-type: none"> <li>• pensions administrators to enable them to manage and administer these pension schemes</li> <li>• insurance brokers insuring death benefits provided under the non-RTÉSA pension schemes</li> </ul>	To enable the Trustees of the pension schemes to comply with their obligations under the Pensions Act
Maintenance of the RTÉ archives.	To meet our statutory archiving obligations under the Broadcasting Act.
Freedom of Information or regulatory requests.	To comply with statutory obligations.
To assess the working capacity of employees and for related reasons (such as insurance), in limited circumstances RTÉ may process employee's health data and disclose it to third party service providers for these specific purposes.	For purposes connected with RTÉ obligations under employment law with particular regard to the health and safety and working capacity of its employees. Where such data is processed it shall be subject to suitable and specific measures.

## 6. Personal Data obtained by RTÉ for programming purposes

### 6.1 Journalistic and editorial purposes

In performing its role as a public service media organisation, and in the course of researching and preparing content for potential broadcast or publication by RTÉ for journalistic or programme content and programme-making purposes, RTÉ, gathers

and records in a variety of forms news, information, data, opinions, on and off-record quotes or views from people and sources. These activities will frequently involve the collection and processing of Personal Data. Data protection law permits RTÉ to process such Personal Data in pursuit of the rights of freedom of expression and information, including processing for journalistic purposes and the purposes of academic, artistic or literary expression and provides for exemptions from certain data protection obligations where such obligations would be incompatible with RTÉ's exercise of the rights of freedom of expression. In exercising such rights, RTÉ will not unreasonably encroach on the privacy of an individual. This Policy is not intended to limit or restrict RTÉ's ability to rely on such interests in the course of its journalistic activity, which under law is to be interpreted broadly.

## 6.2 Programme content purposes

- (a) In performing its role as a public service media organisation, RTE will also generate and broadcast original programme content (including live content) including for cultural, creative, news and current affairs, educational, sporting, artistic, dramatic, literary and other purposes and will process certain personal data in connection with such purposes in accordance with its statutory objects and obligations.
- (b) For editorial purposes RTÉ must retain and process certain Personal Data (including sensitive categories of data such as political opinions) to ensure that editorial decision making practices are appropriate so as to ensure that certain content is presented in an objective and impartial manner. This helps to ensure political balance in the context of political reporting, particularly in election cycles, and also in preventing and defending defamation claims made against RTÉ.

## 7. Children

- 7.1 A cornerstone of RTÉ's mandate is to empower our young viewers by encouraging digital literacy, inclusion and creativity while providing engaging and accessible content. RTÉ's children's online services include the RTÉjr app, RTÉjr website and the RTÉ Twigin app (together the "**RTÉ Children's Online Services**"). Having regard to the specific protections attaching to the use of children's Personal Data, RTÉ takes children's privacy very seriously and for this reason we don't use cookies for targeted advertising in connection with RTÉ Children's Online Services.

### 7.2 Children as audience members, cast or as participants in RTÉ programming

Parents or guardians can apply on behalf of their child/children to appear as a member of the audience, cast or as a participant in RTÉ programming through [www.RTEjr.ie](http://www.RTEjr.ie). Any personal data will be processed in accordance with this Privacy Policy, having regard to the specific protections attaching to the use of children's Personal Data.

### 7.3 RTÉJR and young peoples' programming

However, at present RTÉ does not produce children's programming itself and all RTÉjr/young people's programming is currently independently produced by third party independent production companies, which are subject to their own privacy statements which may differ from those of RTÉ. Accordingly, parents /guardians on behalf of their children should review the notices/statements of such third party production companies for further information.

#### 7.4 **Cookies and RTÉ Children’s Online Services**

While RTÉ doesn’t use cookies for targeted advertising in connection with RTÉ Children’s Online Services, we do use cookies and other technologies (such as pixels, tags, Adobe Flash technology and/or SDKs) for other reasons connected with RTÉ Children’s Online Services. This enables us to ensure that users have the best possible experience and to provide the most appropriate content (e.g. videos, cartoons and games) through RTÉ Children’s Online Services and children’s TV programmes to match children interests. It is important to recognise that cookies serve a key purpose in enabling our systems to recognise your device either for the duration of your visit or for repeat visits, letting you navigate between pages efficiently, storing log-in information, and generally improving your and/or your child’s experience of RTÉ Children’s Online Services. It can also enable us to identify your device’s location. For further information on RTÉ’s use of cookies and other similar technologies please refer to the RTÉ [<Cookie Policy>](#).

### 8. **Processing for Security Purposes**

#### 8.1 **CCTV**

RTÉ has closed circuit television cameras (“CCTV”) located throughout its various premises covering buildings, internal spaces, car parks, roads, pathways and grounds. RTÉ’s CCTV system is implemented in a proportionate manner as necessary to protect RTÉ property against theft or pilferage and for the security of employees and visitors to the RTÉ premises (to protect their vital interests). Whilst CCTV footage is monitored by RTÉ security staff, access to recorded footage is strictly limited to authorised personnel. Footage is retained for 28 days, except where incidents or accidents have been identified in which case such footage is retained specifically in the context of an investigation of that issue. CCTV footage may be used in the context of disciplinary proceedings involving RTÉ employees and to detect, establish and/or defence legal proceedings (to protect the vital interests of RTÉ, staff, students and affected individuals). CCTV footage is not disclosed to third parties except where disclosure is required by law (such as for the purpose of preventing, detecting or investigating alleged offences) and in such instances disclosure is based on a valid request. Signage indicating that CCTV is in use displayed throughout the RTÉ premises. To request a copy of CCTV footage, contact both the RTÉ Security Manager at [Kieron.Hogan@rte.ie](mailto:Kieron.Hogan@rte.ie) and the DPO at [dpo@rte.ie](mailto:dpo@rte.ie). Your request will be considered in light of data protection law.

#### 8.2 **Licence Plate Recognition**

RTÉ operates a licence plate recognition software for security purposes and to facilitate authorised vehicular access to RTÉ premises. This involves the Processing of vehicles’ licence plate details on entry and exit to RTÉ premises.

### 9. **Disclosures/Recipients**

9.1 RTÉ discloses Personal Data to third parties in certain instances. For example, RTÉ uses third party service providers for the processing of Personal Data for a number of purposes, including, to gauge programme audience numbers, to perform data analytics, to manage its email marketing communications, for the administration of competitions. These service providers are subject to a contractual obligation to only process Personal Data obtained from RTÉ for purposes for which it was obtained and in accordance with RTÉ’s instructions.

- 9.2 RTÉ will not provide your Personal Data to third parties who may contact you for direct marketing or promotional purposes unless you have consented to RTÉ disclosing your Personal Data to such third parties for that purpose.
- 9.3 In certain circumstances RTÉ will disclose personal data to other external third parties such as its professional advisors as necessary in the context of the performance of their services. Such recipients may include external legal advisors, auditors, actuaries, pension and tax advisors, pension administrators and other professional advisors. Disclosure of such data will take place for a variety of reasons including in order to ensure that RTE meets its tax and other (including tax) obligations and in order performing its statutory objectives in the public interest.
- 9.4 In certain instances where RTÉ is working with a co-producer/third party production company in producing content, RTÉ may disclose personal data to such co-producers/third party production companies. RTÉ will ensure the appropriate contractual provisions are in place with such third parties so that personal data is managed and collected properly and in accordance with data protection law.
- 9.5 RTÉ may also disclose personal data to its insurance providers in connection with legal claims and prospective legal claims or proceedings.
- 9.6 RTÉ is subject to Freedom of Information and broadcasting laws and may disclose information where required to do so in accordance with such legislation.

## **10. Archiving**

- 10.1 RTÉ Archives is Ireland's largest collection of audio-visual content. As well as keeping audio-visual records, RTÉ Archives make content available on an increasing number of platforms and devices for both the public and for its staff. RTÉ Archives provide content for radio and television programmes, both internally and for content partners.
- 10.2 Such records are retained for journalistic purposes, as outlined in paragraph 6 above. The RTÉ Privacy Policy should be read in conjunction with the RTÉ Records Management Policy. RTÉ Archives are comprised of both: (i) working archives, which are retained for operational purposes and (ii) Heritage Archives, which are retained for historical and public interest reasons.
- 10.3 RTÉ's retention of archive records is in accordance with its statutory objectives under section 114 of the Broadcasting Act which requires it to "*establish and maintain archives and libraries containing materials relevant to the objects of RTÉ*". In relation to RTÉ's archiving activities, suitable and specific measures shall be adopted and the principle of data minimisation observed.

## **11. Data Retention**

- 11.1 RTÉ endeavours to ensure that Personal Data is retained for an appropriate period. An ongoing project is underway to identify and apply appropriate retention periods across RTÉ.

## **12. Data Transfers outside the EEA**

- 12.1 RTÉ does not generally transfer any Personal Data outside the European Economic Area ("EEA"). However, in some cases RTÉ may use carefully selected service providers, including certain cloud storage service providers, to perform certain functions which involves data transfers outside the EEA. Certain of RTÉ's service

providers may also store Personal Data in data centres located outside the EEA. These service providers are subject to a contractual obligation to comply with applicable data protection law and to ensure that appropriate measures are put in place to ensure the protection of any personal data that is transferred outside the EEA.

### **13. Your Data Protection Rights**

In certain circumstances, you have the following rights under data protection law in relation to your personal data:

#### **13.1 A right to access Personal Data held by RTÉ**

- (a) Any individual has a right to make an access request, in writing, under data protection law for a copy of their Personal Data held by RTÉ. In response to a request, we will clarify the RTÉ entity that is the Data Controller in respect of the relevant Personal Data. RTÉ may ask for further identification details to confirm your identity before the relevant information is released and may charge a statutory fee (where applicable) for the supply of this information to you.
- (b) It should be noted that there are specific exemptions relating to accessing Personal Data held for journalistic, artistic and literary purposes, which may be relevant to RTÉ.

#### **13.2 Other data protection rights**

- (a) Rectification of inaccurate personal data;
- (b) Erasure of personal data (also known as the “right to be forgotten”);
- (c) Restriction of processing of personal data;
- (d) Right to data portability;
- (e) Right to object to processing of personal data where such processing is based on RTÉ’s statutory functions and or public interest objectives.

13.3 However, under data protection law, these rights are available only in certain circumstances. If you wish to exercise any of your data protection rights please contact the DPO at [dpo@rte.ie](mailto:dpo@rte.ie) or write to: Data Protection Officer, RTÉ, Donnybrook, Dublin 4. Please provide as much detail as possible to enable us to respond to your request and to locate relevant personal data about you

### **14. Information Security**

14.1 In accordance with applicable laws, RTÉ ensures that all Personal Data controlled by RTÉ is held securely using appropriate security measures including the following:

- (a) Physical measures such as locked filing cabinets and offices containing Personal Data;
- (b) IT security systems;
- (c) Restricted access to Personal Data subject to approvals;
- (d) Time limits on retention of personal data;

- (e) Provision of targeted data protection training to employees, contractors and other staff who have access to and process Personal Data;
  - (f) Password restrictions on access to Personal Data; and
  - (g) Technical measures including:
    - (i) encryption on RTÉ laptops; and
    - (ii) logging mechanisms to record certain access to Personal Data and alteration and other processing of Personal Data.
- 14.2 In the event of a personal data breach, RTÉ will comply with applicable reporting and notification obligations under data protection law.

## **15. Contact Us / Complaints**

- 15.1 If you wish to make a complaint about RTÉ's data protection practices, please contact the DPO at [dpo@rte.ie](mailto:dpo@rte.ie) or write to: Data Protection Officer, RTÉ, Donnybrook, Dublin 4. You may also lodge a complaint to the Office of the Data Protection Commissioner (see the website of the Office of the Data Protection Commissioner).
- 15.2 RTÉ reserves the right to remove content from any RTÉ websites, RTÉ social media pages and apps that is in breach of this Privacy Policy, or as it sees fit. To report content that you believe to be in breach of this Privacy Policy click [<here>](#). You may also report content on the relevant website, social media page or app.
- 15.3 If you have any questions or queries about this policy please contact our help desk at [info@RTÉ.ie](mailto:info@RTÉ.ie) or [dpo@rte.ie](mailto:dpo@rte.ie).

**Last updated:** 24<sup>th</sup> May 2018

## **Ráiteas Príobháideachais RTÉ**

*Tá meas ag RTÉ ar phríobháideachas gach cuairteoir ar ár láithreán gréasáin.*