



Foundation for Social Welfare Services  
Here for you

212 Cannon Road, Sta Venera, SVR 9034

## **POLICY NO: 45**

### Data Protection Policy

Authorised by: The Data Protection Director      Issue date: May 2020 (updated on Dec. 2021)

Approved by: The Chief Executive Officer      Issue no: 2

## DATA PROTECTION POLICY

The General Data Protection Regulation (EU) 2016/679 (GDPR) and the Data Protection Act (Cap 586/2018) regulate the processing of personal data and sensitive whether held electronically or in manual form. The Foundation for Social Welfare Services (FSWS) is set to fully comply with the Data Protection Principles as set out in such data protection legislation.

### Purposes for collecting data

The Foundation for Social Welfare Services (FSWS) collects and processes information to carry out its obligations in accordance with present legislation. All data is collected and processed in accordance with Data Protection Legislation and the relevant Acts and any other type of legislation which regulate the Foundation for Social Welfare Services (FSWS) and the respective services its agencies offer. The relevant Acts and Regulations are the following:

#### European Union Regulation:

- General Data Protection Regulation (2016/679)

#### Laws of Malta:

- Chapter 586 Data Protection Act (2018)
- Chapter 491 Fostering Act
- Chapter 495 Adoption Act
- Chapter 496 Freedom of Information Act
- Chapter 569 Child Protection Alternative Care Act
- Chapter 582 Social Care Standards Authority Act
- Chapter 581 Gender based Violence Act

### Recipients of data

Personal Information is accessed by the employees who are assigned to carry out the functions of the Foundation for Social Welfare Services (FSWS). Disclosure can also be made to third parties but only as authorized by law.

### Rights of Data Subjects

As data subjects, both employees and service users are entitled to know, free of charge, what type of information the Foundation for Social Welfare Services (FSWS) holds and processes

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about them and why, who has access to it, how it is held and kept up to date, for how long it is kept, and what the Foundation is doing to comply with data protection legislation.

The GDPR establishes a formal procedure for dealing with data subject access requests. All data subjects have the right to access any personal information kept about them by the Foundation for Social Welfare Services (FSWS), either on computer or in manual files. Requests for access to personal information by data subjects are to be made in writing and sent to the Chief Executive of the Foundation for Social Welfare Services (FSWS). The identification details such as ID number, name and surname of the data subject concerned have to be submitted with the request for access. In case the Foundation for Social Welfare Services (FSWS) encounter identification difficulties, the data subject concerned may be required to present an identification document.

The Foundation for Social Welfare Services (FSWS) aims to comply as quickly as possible with requests for access to personal information and will ensure that it is provided within a reasonable timeframe and in any case not later than one month from receipt of request, unless there is good reason for delay. When a request for access cannot be met within a reasonable time, the reason will be explained in writing to the data subject making the request. Should there be any data breaches, the data subject will be informed accordingly.

All data subjects have the right to request that their information is not used or is amended if it results to be incorrect. Data subjects may also request that their data is erased.

These rights may be restricted, if applicable, as per Data Protection Legislation.

In case the data subjects are not satisfied with the outcome of their access request, they may refer a complaint to the Information and Data Protection Commissioner, whose contact details are provided below.

The Retention Policy of the Foundation for Social Welfare Services (FSWS) may be found in a separate document issued by the same Foundation and also accessible on the Foundation's website <https://fsws.gov.mt/>

Data that needs to be destroyed after the noted timeframes within the Foundation's Retention Policy will be disposed of in an efficient manner ensuring that such information is no longer available within the Foundation for Social Welfare Services (FSWS).

**The Data Protection Officer** may be contacted on [dataprotection.fsws@gov.mt](mailto:dataprotection.fsws@gov.mt) or by telephone 22588900.

**The Chief Executive Officer**, as the Data Controller of the Foundation for Social Welfare Services, may be contacted at:

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212, Cannon Road, Sta Venera SVR 9034

Telephone: 22588900

Email: [alfred-b.gixti@gov.mt](mailto:alfred-b.gixti@gov.mt)

### **The Information and Data Protection Commissioner**

The Information and Data Protection Commissioner may be contacted at:

Level 2, Airways House,

High Street,

Sliema SLM 1549

Telephone: 23287100

Email: [idpc.info@idpc.org.mt](mailto:idpc.info@idpc.org.mt)

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