



ÚDARÁS UCHTÁLA na hÉIREANN
THE ADOPTION AUTHORITY of IRELAND

**The National Adoption
Contact Preference Register (NACPR)**

Data Privacy Statement

About this privacy statement

We understand that your privacy is important to you and that you care about how your personal data is used. This statement explains how the Adoption Authority of Ireland processes your personal data through the National Adoption Contact Preference Register. It tells you:

- how we collect your personal data,
- how we store your personal data,
- how we process your personal data,
- who we share your personal data with,
- how long we retain your personal data,
- your rights in relation to your personal data, and
- how you can express a concern or make a complaint.

1. What is the Adoption Authority of Ireland?

The Adoption Authority of Ireland (the “Adoption Authority”) is an independent body established on 1 November 2010 under the Adoption Act 2010. Our mission is:

To ensure the provision of the highest possible standards of adoption related services, throughout the lifelong adoption process, with the best interest of children as the first and paramount objective.

We are located at Shelbourne House, Ballsbridge, Dublin 4, D04 H6F6.

2. Our privacy commitment to you

We respect and value your privacy. We are very aware of the importance and sensitivity of the personal information (data) that you share with us. We will only collect and use your personal data in ways that are described here, and in a way that is consistent with our obligations and your rights under law.

3. What is the National Adoption Contact Preference Register (NACPR)?

The NACPR was set up in 2005 as a way for people affected by adoption to make their wishes known about having contact with their birth family members.

If you are adopted, or a member of the birth family of someone who is adopted, you can choose to put your details on the NACPR. You can:

- state who you would like to have contact with,
- state who you would like to share information with,
- select the kind of contact you would like, and
- select not to have any contact at all.

Please see the [NACPR information leaflet](#) for more information on the registration processes.

4. What does this privacy statement cover?

This statement relates only to how we operate the NACPR. For information on how your personal data is processed by us in the context of our other services or other functions, please see our [general privacy statement](#).

5. What words do you need to know to understand it better?

Controller

This is the person, public authority, agency or other body which decides how personal data should be handled. The Adoption Authority is the controller for all data shared by you through the NACPR.

Data subject

This is you. Data subject means any living person who can be identified, directly or indirectly, by, for example, a name, an identification number, location data, an online identifier or anything to do with their physical, physiological, genetic, mental, economic, cultural or social identity.

DPA 2018

The Data Protection Acts 2018.

GDPR

The General Data Protection Regulation 2018.

Personal data

Any information relating to you.

Processing

Includes anything to do with handling your personal data such as collection, recording, organisation, structuring, storage, alteration, retrieval, consultation, use, disclosure by transmission, dissemination, combination, restriction, [erasure](#) or destruction.

Special categories of personal data

This is otherwise known as sensitive data. It includes personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation. It also includes the processing of genetic information like DNA and biometric data to identify someone. Biometric data includes data such as your fingerprints.

Processor

The person, public authority, agency or other body which processes personal data on behalf of the controller.

6. What personal data do we collect and process?

When you fill in the NACPR application, we collect and process your:

- name,
- date of birth,
- address,
- phone numbers,
- email address,
- details of relative(s) you would like to contact,
- contact preferences,
- identification documents, and
- any other information you share with us to help us make a match on your behalf.

On behalf of the NACPR, the Adoption Authority may review our files and other records and process other relevant personal data relating to you to the extent necessary to allow for the operation of the NACPR. The relevant personal data may include special categories of personal data in relation to you. Further information in relation to the personal data we may hold about you is set out in our [general privacy statement](#).

If you would like contact to be made with a birth relative through the NACPR, then the more personal data you give us, the better.

7. Why do we collect this information?

We collect personal information about you to:

- a.** process your request for contact with a birth relative to the extent selected by you in the NACPR application form, and
- b.** comply with your request on the NACPR application form to make contact with a birth relative where a match is made.

8. What are the legal bases we rely on to process your personal data?

The following laws allow us to process this information:

- Article 6(1)(a) and Article 9(2)(a) of the GDPR – this covers your consent to the processing of your personal data on a voluntary basis for the NACPR,
- Article 6(1)(e) and Article 9(2)(g) of the GDPR – this allows us to perform a task in the public interest or exercise our official authority, and
- in specific cases, Article 6(1)(d) and Article 9(2)(c) of the GDPR – for example, this allows us to contact you when we are informed of important medical data that our Chief Medical Officer feels you need to know.

Note: If you have chosen on the NACPR application form not to receive medical information, we will not send it to you. However, we will phone or email you to let you know we have this information so that you can make an informed decision. It is still your choice whether to receive the information, or not.

9. Do we share your personal data?

Birth relatives

Yes. We may share some or all of your personal data with birth relatives who you have consented to making contact with.

Third-party service providers

We may also share some or all of your personal data with third-party service providers such as Tusla – The Child and Family Agency who help us to provide our services to you. We are careful only to share information that is necessary for this purpose.

Anyone who receives this information is bound by the GDPR, the Data Protection Act 2018 and our confidentiality policies. If any of your personal data is shared with a third party, we will make sure that it is handled safely, securely, and in line with your rights, our obligations, and the third party's obligations under law. We train all service providers who process data on behalf of the Adoption Authority in relation to their privacy obligations to us and to you.

Legal circumstances

In limited circumstances, we may be legally required to share your personal data, for example if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

10. Do we transfer your personal data outside the European Economic Area?

In general, we do not transfer personal data processed in connection with the NACPR outside the European Economic Area (EEA). In limited circumstances, for example, where a birth mother has moved to a country outside the EEA, such as the United States of America, and we need to transfer your personal data to complete our obligations, we will transfer personal data to outside the EEA. We emphasise that this rarely happens.

11. How long do we retain (keep) your personal data on the NACPR register?

We retain your personal data on the basis of consent. This means one of the following applies:

- we retain your personal data until you tell us that you no longer consent to us retaining your data, or
- we retain your personal data for so long as is necessary.

You have the right to withdraw your consent to having your data stored on the NACPR at any time. You can also ask us to erase your personal data and we will do this, insofar as we are allowed under the law. Where we process data in line with the Adoption Acts 2010, we cannot delete or erase it. However, where we process data provided by applicants for the NACPR process, we can erase it on their request.

You can find out more about this in our [Retention and Disposal Policy](#).

12. What are my personal data rights?

You have the following rights in relation to your personal data.

Right of access

You have the right to request access to your personal data. This can be done by contacting us and completing a [Subject Access Request form](#).

Right to withdraw consent

Where we process your personal data on the basis of consent, you have the right to withdraw your consent at any time by contacting our Data Protection Officer. However, if you do so, it will affect our ability to provide you with services under the NACPR. If you have a concern, our Data Protection Officer and your appointed social worker can help you make an informed decision regarding withdrawing your consent. Whatever your decision, we will respect your wishes.

Right to rectification (correction)

You have the right to have any inaccuracies in your personal data corrected. You may also, in some cases, add information if the personal data we hold is incomplete.

Right to erasure (right to be forgotten)

You have the right, in some circumstances, to ask us to erase your personal data.

Where we process your personal data on the basis of consent, and we receive a request from you looking to exercise your right of erasure, we will assess whether the personal data can be erased without affecting our ability to provide future services to you or fulfil statutory obligations.

If your request to exercise your right to be forgotten relates only to personal data processed on the NACPR (and not on an adoption file), we recommend that you speak with our Data Protection Officer or a social worker to assist you to make an informed decision.

If you decide that you do wish to proceed with your request to exercise your right to be forgotten in relation to the NACPR register, then we will respect your wishes and honour your request. For legal reasons, we cannot erase personal data on an adoption file. For further information, please see our [general privacy statement](#).

Right to restriction of processing

You have the right, in some circumstances, to ask us to restrict our processing of your personal data. Where the restriction of processing is possible, we will do this. We will write to you to confirm we have done so and to tell you if the restriction is lifted and the reason that it has been lifted.

Right to data portability

You have the right to ask us for a copy of your personal data in a commonly-used electronic format and to ask us to provide it to another party.

Right to object

You have the right, in some circumstances, to object to the processing of your personal data. If you write to us with an objection, we will assess your case on its merits.

Right not to be subject to automated decision-making

You 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 you. Your rights as set out above are subject to some restrictions set out in the Adoption Act 2010, the GDPR and the Data Protection Act 2018.

13. Who is your Data Protection Officer?

Our Data Protection Officer (DPO) is available to answer any privacy questions you may have. You can contact the DPO at dataprotection@aai.gov.ie Our DPO is registered with the Data Protection Commission.

14. Who should I contact if I have a concern or a complaint?

We will do our best to resolve any concerns you may have about how we protect your privacy and personal data. If you have a concern, please contact our Data Protection Officer at dataprotection@aai.gov.ie to discuss it.

If you are not satisfied with how we deal with your concerns, you have the right to lodge a complaint with the Data Protection Commission. Their contact details are:

Data Protection Commission
21 Fitzwilliam Square South
Dublin 2
D02 RD28
Ireland
[Contact the DPC online](#)

15. Contact details

For more information about this privacy statement or about the protection of your personal data in connection with the NACPR, please contact our Data Protection Officer at dataprotection@aai.gov.ie



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