

The logo consists of a large orange triangle pointing downwards, with the word "triangle" in white lowercase letters centered over it.

triangle

GENERATION HUMANAIRE



Personal data protection guidelines

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Introduction

Triangle Génération Humanitaire (TGH) is an international solidarity organisation that acts in accordance with the principles governing humanitarian interventions. We, its directors, employees and partners, are committed, in accordance with our articles of association, to providing concrete solutions to alleviate the suffering of populations living in unacceptable circumstances, fighting poverty and defending social integration, and offering support to victims of conflicts, natural disasters and other events causing precarious living conditions.

TGH is a not-for-profit organisation that implements its projects regardless of political, racial or religious considerations. As a humanitarian organisation, it has a moral duty to act with the greatest respect for the different groups of people with whom it works.

As a Supporter of the Code of Conduct of the International Red Cross Movement, TGH embodies its principles and has reproduced them in its own Code of Conduct, which guides each of its interventions.

Accordingly, we expect all of our employees, service providers or partners to behave impeccably – in all places and at all times – in compliance with humanitarian principles and loyalty to our values. We constantly strive to improve our practices to ensure that they meet the highest international standards in the areas of humanitarian intervention and personal protection.

Guidelines

Respect for privacy and personal data protection creates trust, a particularly important value for TGH, which is committed to upholding fundamental rights and freedoms.

These personal data protection guidelines demonstrate TGH's commitment to respect for privacy and personal data protection.

The purpose of these guidelines is to set out the key principles that govern TGH's approach to the requirement to protect personal data.

They aim to provide guidance to TGH staff and must be read in conjunction with the following documents:

- TGH Strategy
- TGH Code of Conduct
- TGH Child Safeguarding Policy
- TGH Gender equality and protection from gender-based violence policy
- TGH Prevention of exploitation and sexual abuse policy
- TGH Environmental protection policy
- TGH Anti-fraud and corruption policy
- TGH Anti-terrorism, money-laundering and other criminal activities policy
- TGH kits and handbooks (for example: Finance, Logistics, Administration and Human Resources, Safety and Security, Partnerships)
- TGH guides, guidelines and notes (for example: Project Management, Reporting, Complaints and Feedback Management Mechanisms)
- TGH charters (for example: Communications and Remote Working)

Interpretation and application

Scope

1. These guidelines apply to all staff and members of TGH governance bodies.
2. The provisions set out in these guidelines can also be applied to any individual employed by an entity carrying out missions for TGH.
3. The scope of these guidelines is as defined in the General Data Protection Regulation (GDPR).

Definitions

The terms below have the following meanings in these guidelines:

1. “Recipient”: means, in accordance with the GDPR, a natural or legal person, public authority, agency or another body, to which the personal data

are disclosed, whether a third party or not.

2. “DPO”: for “Data Protection Officer”, means any person tasked, in accordance with the GDPR, with (i) informing and advising TGH and its employees on their obligations in relation to personal data protection, (ii) verifying TGH’s compliance with its obligations in respect of personal data protection, (iii) supporting TGH in carrying out an impact assessment and (iv) cooperating with the supervisory authorities.
3. “Personal data”: means, in accordance with the GDPR, any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;
4. “TGH staff”: for the purpose of these guidelines, the term “TGH staff” means any person employed by TGH. TGH interns and those on work-study contracts are treated as TGH staff for the purpose of these guidelines.
5. “Data subject”: means, in accordance with the GDPR, a natural person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. For the purpose of these guidelines, a data subject means a natural person whose personal data are processed by TGH.
6. “Applicable regulations”: means the personal data protection legislation in force, notably the French Data Protection Act No. 78-17 of 6 January 1978 and Regulation EU 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.
7. “Third party”: means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.
8. “Processing”: means, in accordance with the GDPR, any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recor-

ding, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. The “record of processing activities” provides a list of the data processed and an overview of what the controller does with personal data.

Notification and implementation of guidelines

1. These guidelines are published under the authority of TGH. TGH staff and the other entities mentioned in chapter A of these guidelines must act in accordance with them and must, as a consequence, familiarise themselves with these provisions and ensure they have understood them. If they are not sure how to proceed, they must consult a competent person, such as their direct line manager and/or the DPO.
2. TGH staff and the other entities mentioned in chapter A of these guidelines who manage the working conditions of TGH staff must include a stipulation therein stating that these guidelines must be adhered to and that they form an integral part of the conditions concerned.
3. TGH staff and the other entities mentioned in chapter A of these guidelines who are responsible for supervising or managing other TGH staff must ensure that the latter adhere to these guidelines and implement or suggest appropriate disciplinary measures to sanction any breach of these provisions.
4. These guidelines will form an integral part of the working conditions of TGH staff once they have confirmed that they have familiarised themselves with them.
5. TGH will review the provisions of these guidelines at regular intervals.

General principles applicable to data protection

Application of guidelines and adherence

1. TGH staff undertake to comply with the principles of personal data processing at all times when carrying out their duties.
2. In the event of a new processing of personal data procedure, the TGH staff responsible for the procedure must ensure adherence to the principles set out below.

Legality and legitimacy of processing

1. Each personal data processing procedure implemented by TGH must have a legal basis in accordance with the applicable regulations. TGH staff must ensure that data processing carried out in relation to their duties is lawful.
2. Where personal data are processed in response to the legitimate interests of TGH, specific protection measures must be implemented to ensure effective protection of privacy.

Purposes of processing

1. The purposes of processing implemented by TGH must be defined, legitimate, explicit and compatible with the missions carried out by TGH.
2. Personal data must never be used contrary to the purposes initially defined for each type of processing.

Limitation and accuracy of data collected

1. The purposes defined and determined should determine the relevance of the personal data collected by TGH. The only data that should be collected and processed are those that are strictly necessary to achieve the purposes of processing.

2. TGH undertakes only to process data that are accurate, complete and up to date. Accordingly, TGH reserves the right to contact data subjects in order to verify the accuracy of their personal data.

Retention of data collected

1. The purpose of processing also defines the retention period of the data necessary for TGH's activities in accordance with the applicable regulations.
2. Personal data are retained for no longer than necessary in light of the purposes for which they are processed.
3. Personal data are retained for at least the period required by the applicable regulations. Accordingly, TGH considers the applicable regulations, the importance of the personal data concerned and the necessity of retaining them given the likelihood of a future need to view them when determining the retention period for personal data.
4. For any questions relating to the retention of personal data, please contact the Data Protection Officer at the following address: **dataprotection@trianglegh.org**.

Transfer of personal data

1. TGH is committed to implementing procedures governing the transfer of personal data outside the European Union. TGH staff with responsibility for data protection must ensure that these measures are implemented in practice, in particular in the case of entering into contracts with suppliers.
2. In accordance with the applicable regulations, the data subject from whom personal data have been collected must be informed in a document of the existence of a transfer of personal data to a state that is not a member of the European Union. TGH staff with responsibility for data protection must ensure that this information is communicated correctly.

Data Protection Officer

1. In 2020, TGH appointed a Data Protection Officer (DPO), who acts entirely independently for all TGH staff in order to ensure privacy and personal data protection. They have a deputy to assist them with their task.

2. The DPO provides a guarantee of trust. They are the primary point of contact for personal data protection and are responsible for ensuring the correct application of data protection rules. They are also the primary point of contact for the CNIL¹ and any data subject affected by personal data collection or processing.
3. TGH's DPO and their deputy can be contacted by any data subject at the following address: **dataprotection@trianglegh.org**.

Principles applicable to provision of information and the rights of data subjects

Provision of information to data subjects

1. TGH must issue clear, comprehensive information that is easily accessible and understandable to all about the personal data processing implemented by it.
2. Accordingly, all data subjects must be given the following information:
 - The identity of the controller and, if applicable, their representative;
 - The contact details of TGH's Data Protection Officer;
 - The purpose of processing for the data concerned;
 - The recipients or categories of recipient of the data;
 - The rights that data subjects can exercise in respect of the processing of their personal data, as stipulated in chapter I of these guidelines;
 - The automated electronic processing of their personal data. TGH will inform data subjects of the above and may, if necessary, obtain their consent. Data subjects have the right to be informed of the grounds for automated

1 - CNIL: Commission nationale de l'informatique et des libertés [French Data Protection Authority] / <https://www.cnil.fr/>

- processing of their data and can refuse it by asking for human intervention;
- Any cross-referencing of data to improve the quality and effectiveness of the missions carried out by TGH and evaluate or anticipate the situation of data subjects;
 - The existence, if applicable, of any transfer of personal data to a state located outside the European Union.
3. TGH undertakes to produce information notices specific to certain categories of data subject in response to this obligation. The TGH staff responsible must ensure that said information notices are properly communicated to the correct categories of data subject.

Rights of data subjects and means of exercising them

1. TGH undertakes to implement the appropriate technical and organisational measures to enable data subjects to exercise the following rights:
- **right of access:** the right of the data subject to be informed and request the communication of their personal data in a readable form;
 - **right to rectification:** the right of the data subject to obtain the rectification of inaccurate personal data concerning them;
 - **right to erasure:** the right of the data subject to obtain the erasure of personal data concerning them;
 - **right to restriction of processing:** the right of the data subject to restrict the processing of personal data concerning them;
 - **right to data portability:** the right of the data subject to receive the personal data concerning them in a structured format and to request that TGH forward them to a third party of the data subject's choice;
 - **right to object:** the right of the data subject to object to any or all processing of their personal data on grounds relating to their particular situation;
 - finally, any data subject has the right to issue instructions regarding what should happen to their personal data after their death.
2. All of the above rights may be exercised by data subjects at any time by sending a request by email to the following address: **dataprotection@trianglegh.org**.

3. TGH reserves the right to carry out an identity check for any request.
4. In the case of receipt of a request from a data subject to exercise one of the rights listed above, TGH staff must inform the DPO and their direct line manager immediately. It is essential that TGH staff react quickly to avoid any breach, insofar as TGH has one month to respond to a request from a data subject.

Confidentiality and security principles

Confidentiality

1. Compliance with data confidentiality, particularly when using any form of electronic communication, is an essential requirement for TGH.
2. The protection of TGH's interests relies on everyone's compliance with a general and permanent obligation of confidentiality and discretion with regard to the data made available to the user to carry out their professional activities, including social, legal, financial, commercial, scientific, technical, economic or industrial information, notably in the context of the use of information systems.
3. In particular, compliance with this obligation implies:
 - ensuring that unauthorised third parties are not made aware of such information;
 - undertaking not to appropriate, retain or reproduce such information for personal ends;
 - undertaking not to use this information in ways that do not comply with the purposes of processing and these guidelines;
 - in general terms, compliance with the rules on professional ethics and professional conduct, and the obligations to maintain confidentiality and act with discretion in effect at TGH.

4. Confidential data may only be communicated under the following conditions, subject to prior permission from any duly authorised person:
 - Authorisation from the issuer;
 - Designation of an authorised recipient;
 - Compliance with a secure procedure;
 - Marking with the word “CONFIDENTIAL”.
5. The use of encryption procedures can only be implemented in certain authorised cases. The use of encryption methods other than those expressly authorised by TGH is prohibited.
6. In accordance with the territorial scope of the GDPR, TGH requires any processor to whom personal data are entrusted to provide the appropriate guarantees to ensure the confidentiality of personal data.

Security

1. TGH undertakes, as far as possible, in particular through organisational and technical measures, to take all relevant precautions to maintain the security of personal data, including but not limited to preventing them from being corrupted, damaged or communicated to unauthorised third parties.
2. In accordance with the territorial scope of the GDPR, TGH also requires any processor to whom personal data are entrusted to provide the appropriate guarantees to ensure the security of personal data.
3. Access must be limited only to recipients duly authorised by TGH, as part of a security policy aimed at ensuring that individuals have access only to the information necessary for their activities. Accordingly, TGH defines access and confidentiality rules applicable to the personal data processed. Access rights are granted based on the principles of “least privilege” and “need to know”.
4. TGH undertakes to ensure the availability of a clear Information Systems user charter, with which TGH staff undertake to comply.

Modification of guidelines

1. These guidelines are accessible to everyone and are updated regularly to take account of legislative and regulatory changes, and any changes in TGH's organisation or the conduct of its missions.
2. TGH will use its best endeavours to inform data subjects of any changes to these guidelines. The date of these guidelines will be updated whenever they are amended.
3. Should any amendment of these guidelines be likely to have a fundamental impact on the nature of processing or a substantial impact on the situation of a data subject, TGH undertakes to inform data subjects as soon as possible so that they can exercise their rights (for example, by objecting to processing).

Implementation of guidelines

Date of implementation of guidelines

1. These personal data protection guidelines will come into effect immediately following their approval by the TGH Board of Trustees.

Adherence to guidelines

1. TGH staff and the other entities mentioned in chapter A of these guidelines confirm their adherence to these principles by signing the acceptance form and/or their contract of employment.



organisation de solidarité internationale

1 rue montribloud :: 69009 lyon :: france
T +33 [0]4 72 20 50 10 :: info@trianglegh.org :: www.trianglegh.org

Association loi 1901 créée en 1994, enregistrée à la Préfecture du Rhône N°W691052256