



*Irish Countrywomen's Association*  
*Bantracht na Tuaithe*

## **Apology by Irish Countrywomen's Association to Ms Helena Cody**

### **Background**

On 20<sup>th</sup> June 2018, Ms Marie O'Toole, the then former National President of ICA, sent an email from her personal email address to members of the ICA, including election candidates, members of the National Executive Board and National Advisory Committee. This email contained personal data belonging to a number of ICA members, including Ms Helena Cody.

Ms Marie O'Toole requested that the Federation Presidents to whom the email was circulated would further circulate the email to the Guilds in their Federation.

On 2<sup>nd</sup> July 2018, when the circulation of this email came to Ms Cody's attention, Ms Cody wrote to Ms Marie O'Toole advising that Ms O'Toole did not have Ms Cody's consent to process her personal data in such manner. Ms Cody expressed concern at how Ms O'Toole had handled her personal data including Ms O'Toole's request to others to further circulate her personal data. Ms Cody referred Ms O'Toole to her rights under the General Data Protection Regulation.

In her letter of 2<sup>nd</sup> July 2018, Ms Cody offered Ms O'Toole an opportunity to resolve the matter before she would report her concern to the Data Protection Commissioner. Ms Cody requested a full response within 21 days. Ms Marie O'Toole acknowledged Ms Cody's letter but did not otherwise respond to Ms Cody.

On 15<sup>th</sup> July 2018, Ms Marie O'Toole, sent a further email to members of ICA, initially without the attachment referred to in that email and subsequently sending the email again with the attachment. The attachment contained extensive personal data relating to several ICA members and listed the full names, addresses and occupations of those ICA members, including Ms Cody.

### **Data Protection Commission and resolution**

Ms Cody, as was her right, raised a concern with the Data Protection Commissioner concerning both of these email communications extensively circulated by Ms Marie O'Toole and subsequently further circulated by Federation Presidents at Ms O'Toole's request. Ms Cody raised issues regarding her rights under the General Data Protection Regulation.

In April 2019, the Data Protection Commission (DPC) wrote to ICA concerning Ms Cody's complaint, stating that the complaint had been assessed by the Information and Assessment Unit and had been passed to the Complaint Handling Unit.

The DPC advised that it was required to handle the complaint under Article 57 of the GDPR.

The DPC advised that if the complaint was not resolved amicably under section 109(2) of the GDPR, that the DPC under the complaint handling process may take action under section 109(5) of the GDPR.

The ICA National Executive Board 2018-2021 were tasked with addressing the matter which was accepted by the DPC for processing as a complaint under the GDPR.

At all times Ms Cody was amenable, in the first instance, to trying to reach an amicable resolution of her complaint rather than proceeding with other means of addressing it.

Unfortunately, due to COVID-19 and other reasons, there was a tardiness in addressing the matter and a meeting with Ms Cody was not held until 26<sup>th</sup> May 2021. The matter was not finalised before that Board's term of office ended three days later on 29<sup>th</sup> May 2021.

Therefore, it became the responsibility of the current ICA National Executive Board to progress the matter to conclusion.

The Board wishes to express its thanks to Ms Cody for her forbearance in this matter and for continuing to engage with ICA to facilitate ICA in reaching an amicable resolution.

### **Apology**

The National Executive Board, on behalf of ICA, apologies to Ms Helena Cody for the inappropriate circulation of Ms Cody's personal data by Ms Marie O'Toole in the emails of 20th June 2018 and 15th July 2018 and attachment thereto.

The National Executive Board apologies for the manner and extent of the circulation of Ms Cody's personal data, including the further circulation by Federation Presidents at the request of Ms Marie O'Toole.

While the personal data of Ms Cody and other members was sent by Ms Marie O'Toole from Ms O'Toole's personal email and computer and was done without the prior knowledge of the then Board of ICA, the NEB accept that the ICA should have acted to address Ms O'Toole's actions. The National Executive Board apologies to Ms Cody for the failure of the National Executive Board ICA to address the matter at that time.

In her complaint Ms Cody referred to the severe negative impact on her subsequent dealings with ICA, which ICA accepts as true. The Board acknowledges the hurt Ms Cody experienced and the impact on her subsequent interactions with ICA and the anxiety caused to Ms Cody and the Board apologises on behalf of the ICA for same.

### **ICA compliance with GDPR**

During this process Ms Cody highlighted that ICA had not updated its website with the current GDPR a considerable time after the GDPR had come into force. We thank Ms Cody for drawing our attention to this. ICA has since updated its website as required.

Ms Cody has not sought any personal compensatory element but proposed, in support of ICA compliance with the GDPR, that ICA might consider funding a staff member and Board member to attend a GDPR training by The Wheel.

The National Executive Board, at its meeting of 11<sup>th</sup> September 2021, agreed that a member of staff and a Board member would attend this training.

*Hilda Roche*

---

Signed: Hilda Roche, National President

Date: 11/09/2021